

Solicitors' Journal.

LONDON, SEPTEMBER 25, 1880.

CONTENTS.

CURRENT TOPICS:—	
The Provincial Meeting of the Incorporated Law Society	855
The Office of Chief Baron	855
The Judicature Act and the Office of Chief Baron	855
The Clerkship of the Crown in Chancery	855
Juvenile Offenders	856
The Institute of International Law	856
LEADERS:—	
The Ground Game Act	856
Charging a Trustee or Executor with Interest	857
GENERAL CORRESPONDENCE	859
CASES OF THE WEEK:—	
Robertson v. Bellow	859
Willis v. Mayor of Lenington	859
East Park Du Lead Mining Company, In re	859
Chaplow Steamboat Carrying Company (Limited), In re	859
Werner v. Beyer	860
Juvenile Offenders	860
OBITUARY	861
SOCIETIES	862
Order on Highway Board to Repair	862
APPOINTMENTS	863
COMPANIES	863
TAX REGISTRATION COURTS	864
CREDITORS' CLAIMS	865
The Cost of Litigation	865
A Novel Law Report	866
LEGAL NEWS	866
LONDON GAZETTES, &c., &c.	867
PUBLIC GENERAL STATUTES.	

CURRENT TOPICS.

THE MEETING of the Incorporated Law Society at Sheffield on Wednesday and Thursday week promises to be very successful. Up to the commencement of the present week 313 members of the society had signified their intention to attend, including sixty-four town members. Elaborate preparations have been made by a committee appointed many months ago by the Sheffield District Incorporated Law Society, and, with all the attractions offered, it will be hard if anyone comes away disappointed. At the same time we should like to say that more profitable use might be made of these meetings if fewer subjects were introduced; if only questions of immediate practical importance were discussed, and were discussed at greater length; and, above all, if men whose judgment and knowledge command respect could be prevailed on to open their lips more frequently. There are eminent members of the profession who go to these provincial meetings, beam on the social board, attend the concert or dance, but go away without having contributed in any way to the public discussions. This will probably always be the case until the hobby riders who are too often allowed to prance about at their free will are tethered. But there seems to be no one willing to undertake the arduous task of repressing the gambols of these persistent creatures.

IN RESPECT of LONGEVITY, Sir Fitzroy Kelly kept up the traditions of his office. Only nine appointments of Chief Baron have been made during the last ninety years. Sir William Alexander was appointed at the age of sixty-three, resigned at seventy, and died at eighty-one. Lord Lyndhurst, who occupied the post in the interval between his first and second Chancellorships, attained the age of ninety-two. Lord Abinger was appointed at sixty-five and died at seventy-five. Sir Frederick Pollock was appointed at sixty-one, re-

signed at eighty-three, and died at eighty-seven; and Sir Fitzroy Kelly was appointed at seventy, and died at eighty-four. The title of Chief Baron appears to have been first used during the reign of Edward II. Walter de Norwich was appointed a Baron of the Exchequer in 1311, and received a fresh patent in the following year on the death of Roger de Scotre, the then senior baron, and in the patent granted to his successor he is described as "*nunc Capitalis Baro*." He retired from the court during his tenure of the office of Treasurer of the Exchequer, but returned to the bench in 1317, and was then distinctly appointed as "*Capitalis Baro*."

THERE is, as is well known, a possibility of the abolition of the title. Section 32 of the Act of 1873 enables the Queen in Council, "upon any report or recommendation of the Council of Judges of the Supreme Court, to provide for the abolition on vacancy of the distinction of the offices of any of the following judges—namely, the Chief Justice of England, the Master of the Rolls, the Chief Justice of the Common Pleas, and the Chief Baron of the Exchequer, which may be reduced, and of the salaries, pensions, and patronage attached to such offices from the offices of the other judges of the High Court." Any such Order in Council must be laid before each House of Parliament for thirty days on which that House shall have sat, and it is not to take effect if, within such period of thirty days, either House shall have presented an address to the Crown praying that the order may not come into operation. The order must not reduce or increase the total number of the judges of the Supreme Court; and, therefore, the only alteration now practicable would seem to be the appointment of another puisne judge of the Exchequer Division, giving Mr. Baron Pollock the rank (without increased salary) of "President of the Division."

THE OFFICE of the Clerk of Crown in Chancery, to which the Principal Secretary of the Lord Chancellor has just been appointed, was at one time a sinecure, and was abolished by 2 & 3 Will. 4, c. 3, but in the following year an Act was passed providing for the appointment of a clerk to discharge the duties of Clerk of the Crown and Clerk of the Hanaper. The duties of the office are more parliamentary than legal, and are thus described by the Administrative Departments Commissioners:—"In the House of Lords he makes out and issues writs summoning peers, writs of attendance, commissions to summon and prorogue Parliament, commissions to pass Bills, and all other commissions. He attends when the Royal assent is given, and on many other occasions. He receives and takes custody of the returns of elections of Scotch peers, and certifies the same to the House. He makes out and issues writs for election of Irish representative peers, and their writs of summons. He is registrar of the Lord High Steward's Court of State Trials, and issues the writs, &c., on such trials. He is also registrar of the Coronation Court of Claims. In the House of Commons he makes out and issues election writs, receives and takes custody of returns to Parliament, notifies the same in the *Gazette*, registers them, and issues certificates to the House. He has the custody of poll-books, registers them, and gives copies to all applicants, and proves them before election committees. He attends the table of the House to amend returns, and on various other matters. Nearly every patent passing the Great Seal is made out in his office. He makes out all patents of creation under the Great Seal." It may be added that by an Act of the last session (cap. 10), it is provided that after the 1st of November next every warrant for the passing of letters patent under the Great Seal shall be prepared by the Clerk of the Crown in Chancery, and not by the Attorney or Solicitor-General.

THE CORRESPONDENCE in the *Times* on the subject of juvenile offenders has shown a practical unanimity of opinion that the punishment of imprisonment is unsuitable for a child's offence. It is shocking to most people to think that in a single year 6,090 children between the ages of sixteen and twelve, and 720 children under twelve years of age are sent to gaol. It is not only deplorable but expensive; and this will probably be a sufficient reason for a change even for people like Mr. Baker, who are convinced that "the most desirable system would be that nearly every boy who committed an offence should be sent to prison for a very short term, but that if he relapsed he should be sent to a reformatory." There seems to be no alternative but whipping, and it is admitted by Mr. Baker that a first whipping is "generally efficacious"; and, if so, we fail to understand how the effect of a second should be "doubtful, and a third and fourth will probably only harden the boy and do harm." If the first is "efficacious," how do the second, third, and fourth become necessary? We are not at all sure, however, that the current of opinion which is setting in in favour of whipping children by policemen may not result in consequences nearly as serious to the child as imprisonment. Whipping by a public functionary will have to be very carefully guarded, or it may affix a lasting stigma to the child and give rise to a justifiable outcry on the score of cruelty.

WE CANNOT HELP regretting that so little public attention was directed to the recent meeting of the Institute of International Law at Oxford. To a certain extent the indifference with which it has been regarded may be due to our weariness of talking assemblies. But the characteristic of this meeting was that it was not a mere talking assembly, but an assembly which will exercise an important influence on the affairs of the world, not directly perhaps, but certainly indirectly. For although it is perfectly true, as the Lord Chief Justice said in the *Franconia* case, that writers on international law, however valuable their labours may be in elucidating and ascertaining the principles and rules of law, cannot make the law; which to be binding must have received the assent, express or implied, of the nations who are to be bound by it; it is not less true (as a greater authority has said) that "in cases where the principal jurists agree, the presumption will be very great in favour of the solidity of their maxims; and no civilized nation that does not arrogantly set all ordinary law and justice at defiance will venture to disregard the uniform sense of the established writers of international law" (1 Kents' Commentaries, 19). The members of the Institute comprise the greatest living authorities on International Law, and its proceedings are conducted with a deliberation and thoroughness of discussion which entitle its resolutions to the highest consideration.

The *Manchester Guardian* says that a petition in bankruptcy was presented on Saturday in the Salford County Court against George Raynor, the late chief clerk of that court, and on the hearing of the petition an order was made adjudging him a bankrupt. An examination of the accounts kept by Mr. Raynor at the county court has revealed deficiencies to a considerable amount.

We heard, says an American legal journal, several lawyers discussing an order of court, recently made in this State, a few days ago, which was in substance as follows:—"Ordered that hereafter this court will in its opinions in citing cases decided by the Supreme Court not yet reported, cite them as published in, &c., &c." This is an order of the court, ordering the court itself in its judgment to do a particular thing. One of the lawyers remarked that the court might just as well make an order that the court "would only write its opinions on the best kind of legal cap, with Arnold's imported writing fluid, with a gold pen, and that the judges should appear in velvet gowns and slippers."

THE GROUND GAME ACT.

I.

Most of our readers will be called upon, sooner or later, to advise clients upon the provisions of this Act. It was not to be expected that a measure which was so vigorously debated and so frequently amended in the House of Commons would emerge from Parliament a clear-cut piece of legislation. The Act is one which requires careful study to understand, and leads to more than one unexpected result, which must give rise to litigation. We propose, first of all, to state, as concisely as we can, the practical effect of the measure, and then to go through it critically section by section.

Before, however, we consider the provisions of the recent Act, it may be well to point out how the law stood before it came into operation. As Mr. Justice Mellor pithily put it in *Coleman v. Bathurst* (see the report in 40 L. J. M. C.), at common law, "the right of killing game is *prima facie* in the tenant, unless there is something to take it out of him." The Game Act (1 & 2 Will. 4, c. 32), which included hares in the definition of "game," but not rabbits, did not, of course, interfere with this rule. It imposed restrictions as regards season, annual game certificates, &c.; and provided against anything therein contained authorizing any person holding any land to kill or take the game on such land where by any contract a right of entry upon such land for the purpose of killing or taking the game should be reserved by or given to any grantor, lessor, or other person; it enabled the landlord to whom the game was reserved to authorize other persons who had obtained a game certificate to pursue and kill it; and where the game had been reserved or granted to the landlord or any other person, it subjected the occupier to penalties for pursuing or killing it.

In 1845, a step was taken in the direction of the recent measure. By the Hares Act (11 & 12 Vict. c. 29) it is recited that "it has been found that much damage has been and is continually done by hares to the produce of inclosed lands, and that great losses have thereby accrued and do accrue to the occupiers of such lands; and it is expedient that persons in the actual occupation of such inclosed lands, or the owners thereof, who have the right of killing game thereon, should be allowed to take, kill, and destroy hares thereon without the payment of the said duties of assessed taxes, and without the incurring of any of the penalties above mentioned"; and the Act provides that it shall be lawful for any person, being in the actual occupation of any inclosed lands, or for any owner thereof who has the right of killing game thereon, by himself or by any person directed or authorized by him in writing, according to the form in the schedule to the Act annexed, so to do, to take, kill, or destroy any hare then being in or upon any such inclosed lands, without the obtaining of an annual game certificate. But no owner or occupier is to grant authority under the Act to more than one person, at one and the same time, to kill hares upon his land within any one parish, and the authority is to be delivered to the justices' clerk. And tenants who are bound by any agreements not to kill game are not authorized by the Act to kill hares.

The law before the recent Act was, therefore, that the right to kill rabbits and hares was in the tenant unless it had been expressly reserved to the landlord or granted to some one else. If it had not been so reserved or granted, the tenant might (subject to certain restrictions) kill hares without obtaining a game certificate. It need hardly be said that in comparatively few cases landlords omitted to reserve this right; and the decision in *Jefferies v. Evans* (19 C. B. N. S. 246), that under the ordinary reservation of the exclusive right of hunting, shooting, fishing, and sporting over the demised land, the tenant was not entitled to shoot rabbits, contributed not a little to the evil which the recent Act is intended to remedy.

Coming now to the Ground Game Act, 1880, we shall consider its effect—(1) where the right to kill hares and rabbits is in the occupier; (2) where it has been granted by the occupier to another person; and (3) where it has been reserved to the landlord.

(1) *Where the right is in the occupier.*—In this case the Act prohibits (section 6), under a penalty not exceeding £2—(a) the occupier from using firearms for the purpose of killing hares and rabbits between the expiration of the first hour after sunset and the commencement of the last hour before sunrise; and (b) from employing spring traps except in rabbit holes, and (c) from employing poison. The Act apparently relieves the occupier from the necessity of obtaining a licence to kill game for the purpose of killing and taking hares and rabbits on the land in his occupation (section 4); but this is not free from doubt having regard to the words of section 2, which provides that "the occupier may exercise any other or more extensive right which he may possess in respect of ground game or other game, in the same manner and to the same extent as if this Act had not passed."

(2) *Where the right has been granted by the occupier to another person.*—If the grant was made before the 7th of September, 1880, for valuable consideration, the Act will not affect the position of the occupier until after the term for which the grant was made has expired (section 5). Where the grant was not for valuable consideration, or was made after September 7, 1880, the occupier, notwithstanding his grant, will "retain and have, as incident to and inseparable from such occupation," a right by himself and certain persons, duly authorized by him in writing, to kill and take the hares and rabbits on the land in his occupation concurrently with his grantee (section 2). We shall hereafter explain, under the third head, the restrictions imposed on the authorizing of persons to kill hares and rabbits. In this case the occupier and the persons authorized by him will be relieved from the necessity of taking out a licence to kill game (section 4).

The third head will be considered next week.

CHARGING A TRUSTEE OR EXECUTOR WITH INTEREST.

III.

THE question, to which we referred last week, whether a *cestui que trust* whose money has been employed in trade by the trustee can elect to take profits for one part of the trading and interest for another, seems to have been first discussed in the case of *Heathcote v. Hulme* (1 Jac. & W. 122), where Sir T. Plumer, M.R., said that where the business in which the trust money has been engaged has been carried on without any break, the *cestui que trust* proceeding against the trustee must make his election which mode of account he will adopt for the whole period of employment of the trust money. He must consider which mode will be the most advantageous to him, and to the mode he selects he must adhere. The grounds on which the learned judge based this doctrine are not very satisfactory. To hold otherwise, he thought, "would be contrary to the principle on which the option is given; the *cestui que trust* elects whether he will ratify the employment of his capital in the trade; if so he takes the profit," and if not, the interest. It is difficult to see how the *cestui que trust* can be said to "ratify" the employment of the money more by electing to take the profits than by electing to take interest in lieu of profits. The interest is only a rough way of ascertaining the probable return for capital employed in trade, five per cent. being the rate supposed by the courts to be ordinarily paid on such capital. How can the *cestui que trust* who takes interest on the footing of the trust fund being employed as capital in the trade carried on by the trustee be said to "ratify" such employment any less than the *cestui*

que trust who chooses to take the actual profits? The doctrine that the *cestui que trust* cannot elect to take profits for one part of the trading and interest for another can hardly be supported on the reasons given by Sir T. Plumer, and until a court of appeal has considered the subject, the general rule he laid down must be accepted with caution.

In *Heathcote v. Hulme*, however, it was admitted that there may be circumstances which would be sufficient to break the period during which the trade was carried on; for instance, if the trust property was withdrawn by the trustee from one trade and embarked in a new one, or in one carried on at a different place (1 J. & W., at p. 133). In that case the trade which had been carried on by an intestate was continued after his death, in 1799, by his administratrix, in conjunction with several other persons, who were nominally partners, but had no interest in the stock-in-trade. In 1801 a notice of dissolution of the partnership was published, merely, however, in order to get rid of one of the nominal partners; there was no winding up of the business, which was afterwards carried on by the other partners, with the capital belonging to the estate of the intestate. The question arose whether *cestui que trust* could obtain profits for one part of the time and interest for the other. Sir T. Plumer, M.R., held that there had not been a sufficient break in the business, and that the *cestui que trust* must elect to have the account taken in the same way for the whole period of the trading.

A trustee or executor who lends trust money to a firm in which he is a partner, to be used in their business (*Vyse v. Foster*, 21 W. R. 207, L. R. 8 Ch., at p. 333; see *Townend v. Townend*, 1 Giff. 201); or allows money which he ought to have called in to remain on loan to his firm (*Jones v. Foxall*, 15 Beav. 388), will, apparently, be charged with interest at the rate of five per cent. per annum on the whole of the money, if the *cestui que trust* elects to take interest. But if the *cestui que trust* elects to claim profits, he cannot obtain more than the trustee's share of the profits of the business in which the trust moneys were employed (*Jones v. Foxall*); for, on the principle referred to at the commencement of these articles, the trustee is only to be charged on the ground that he either has or ought to have made profit by his use of the trust moneys, and he could not obtain more than a share of the profits of the partnership business. As regards interest, however (although there seems to have been no decision on the point) he would be presumed to have obtained ordinary trade interest on all the trust money invested in the business.

Trust money which a trustee who is a trader keeps at his banker's in his own name, will be presumed to be employed by him in trade, since he obtains in his business the advantage of the additional credit arising from increased balances in his favour (*Sutton v. Sharpe*, 1 Russ., at p. 151; *Traves v. Townshend*, 1 Bro. C. C., at p. 385; *In re Hilliard*, 1 Ves. jun., at p. 50; *Young v. Combe*, 4 Ves., at p. 104; *Rocke v. Hart*, 11 Ves., at p. 61; *Williams v. Powell*, 15 Beav. 461, 463). It is not very clearly settled whether this presumption is capable of being rebutted by the trustee, or, if so, what evidence will suffice to rebut it. The remark of Romilly, M.R., in *Williams v. Powell* (15 Beav., at p. 469), that "the burden lies on the executor to show that, in fact, he has not had benefit in his trade from this increased balance at his bankers," taken in connection with the fact that the executor in that case had mixed the assets with his own moneys at his bankers', seems to point to a general right to rebut the presumption, but it is conceived that this is inconsistent with the rule as laid down in the other cases cited above. Where the trustee trader has mixed the trust money with his own money in his bankers' account, the court, it is apprehended, will conclude that he must have obtained benefit from increased credit. Where, however, he has "set apart the trust money to a separate account, so as to have no direct use of it, though he might with regard to other accounts have had

an indirect benefit from the trust balance lying with his bankers," yet according to a dictum of Knight-Bruce, V.C., in *Melland v. Gray* (2 Coll., at p. 300), the trustee "might not be charged with interest upon it." This is clearly a mistake (probably on the part of the reporter). The trustee would, of course, be liable to interest if he kept the money uninvested, although placed to a separate account at his bankers (*Ashburnham v. Thompson*, 13 Ves. 402); the question is whether he would be liable to interest at the rate of five per cent. It is to be regretted that the reporter of *Ashburnham v. Thompson* has omitted to state the rate of interest with which the executors in that case (who appear to have used the assets in trafficking in stocks) were charged. There seems to be little doubt on principle that if a trustee trader can prove that he has kept the trust money to a separate account at his bankers, and especially if he has caused such account to be entitled "trust account," he will not be charged with more than four per cent. interest.

(4) It has been held that where an executor has retained in his own hands moneys belonging to the testator's estate which ought to have been applied in payment of debts of the testator, bearing interest at a higher rate than four per cent. per annum, the executor will be charged with the same rate as he has paid on such debts (*Hall v. Hallett*, 1 Cox. 134, 138; *Turner v. Turner*, 1 Jac. & W. 39, 43). As in the case considered above, under the head (2), the executor has "done damage to the estate," and, according to the decisions above cited, he must make good such damage. It is to be observed, however, that in *Hall v. Hallett* the executor who retained the balances was engaged in trade (see p. 138).

(5) Some rather unguarded observations of the judges in *Burdick v. Garrick* (18 W. R. 288, L. R. 5 Ch. 233) have tended to throw this subject into confusion. Lord Hatherley, C., said (L. R. 5 Ch. 241), "The Vice-Chancellor has directed interest to be charged at the rate of five per cent., which appears to me to be perfectly right, and for this reason, that the money was retained in the defendants' own hands, and was made use of by them. That being so, the court presumes the rate of interest made upon the money to be the ordinary rate of interest—namely, five per cent." Taken by themselves, these observations would imply that the rate with which trustees or executors were to be charged, in the absence of special circumstances, was the current rate of interest, and that, at the present time, that rate was five per cent. But it seems obvious that the learned judge was referring to the case before him, in which the fiduciaries had employed the money in their business (see p. 237); and Lord Hatherley (whose attention was obviously mainly directed to the question of compound interest) no doubt meant, in the observations above quoted, to refer to interest upon trust money employed in trade, in which case his remarks would have been strictly accurate. In the same way Lord Justice Giffard's statement (p. 243), that "the question of interest clearly depends upon the amount which the person who has improperly applied the money may be fairly presumed to have made. If he has applied it to his own use, I think it is quite right to say that he ought never to be heard to say that he has made less than five per cent., and that that is a fair presumption to make," is explainable on the supposition that he was speaking with reference to the case before him, of the employment of trust money in trade, although it must be confessed that the next sentence—"if you seek to go further than that, and to charge him with more than five per cent., you must make out a case for that purpose"—is inconsistent with this view. When, however, we turn to the WEEKLY REPORTER (which so often corrects the errors of the so-called authorized reports), we find at once that the reporter must have blundered. In 18 W. R. 288, Lord Justice Giffard is (without any doubt correctly) reported to have said that "if an executor has made use of the money

in trade, he must be presumed to have made five per cent."

(6) It would seem that where a testator has directed "the best and utmost interest" to be made, and it is admitted by the trustee that four per cent. is not the utmost interest that could be made, the court will charge a trustee who keeps the trust money himself with interest at the rate of five per cent. (*Forbes v. Ross*, 2 Bro. C. C. 430.)

General Correspondence.

THE CAMBRIDGE LOCAL EXAMINATIONS AND THE LAW PRELIMINARY.

[To the Editor of the Solicitors' Journal.]

Sir,—From the last regulations issued by the Syndicate, I see that persons who have passed the Cambridge local examinations are excused the preliminary examination for barristers, and also that required to be passed by intending solicitors before entering into articles of clerkship. As they are undoubtedly a great boon to private students and others, and most valuable aids to self-education, I am the last person to disparage or question the utility of University local examinations; but I cannot help thinking it is matter for surprise that they should be accepted by the Inns of Court and the Incorporated Law Society in lieu of their own Preliminary.

Although the Incorporated Law Society accepts the Cambridge local as a substitute for its own examination, yet it is stated for the information of candidates for the former, in the rules before referred to, that the hitherto published regulations of the Law Society state no special subjects, so that it would seem to be quite possible that a candidate may have obtained a certificate, which I presume is accepted by the Law Society as evidence of having passed, and yet not have been examined in all or half of the branches of knowledge required for the solicitors' Preliminary. In order to secure in the Cambridge local examinations an honour or ordinary certificate, it is requisite that the candidate should have satisfied the examiners in group A., and in elementary arithmetic, and in any two of the remaining groups (R, B., C., D., E., and F.) that the candidate may select at his pleasure. Group A. includes English history and the English language, but three of the subjects of the solicitors' preliminary—viz., writing from dictation, writing a short English composition, and modern geography—are not included in any of the groups; so that if a candidate passed in group A., and afterwards obtained his certificate by passing in two other groups, say group D. (political economy, logic, and constitutional history), and group E. (botany, geology, zoology, chemistry, &c.), out of the seven subjects (reckoning geography as one) of the solicitors' Preliminary, he would only have been examined in three.

The questions set at the Cambridge local examinations are undoubtedly as stiff as those of the law Preliminary, yet the certificates can so easily be obtained, either by fair means or foul, and without any, or with but little, labour on the part of the candidate, that they neither are nor can be, in many cases, any criterion of knowledge or any real test of merit. Under the present rules of the Cambridge local, candidates are only required to take group A., and part I. in elementary arithmetic in the year in which they first enter, and may take the other groups in which they may wish to be examined subsequently at any period they please—entirely at their own leisure; so that if they postpone doing so, as many do, until five or six years afterwards, they may have forgotten every scrap of what they read on the subjects in group A., but may, nevertheless, obtain a certificate. Surely, it cannot be to the credit of the legal profession if one of this latter class, desiring afterwards to enter into articles of clerkship with a solicitor, is allowed to escape the Preliminary. If it is so, this

cannot be very well calculated, I should imagine, to keep up the dignity of the profession, or to guard against the admission into its ranks of "black" or unworthy members. Those who have passed the Cambridge local examinations should only be excused from the law Preliminary if they have passed in the groups containing the same subjects, and not exempted from the other subjects in which they have not so passed, or already been examined in; and some limit, I would suggest, should be fixed to the time that has elapsed between their passing in group A. and in elementary arithmetic, and in the other groups, respectively.

It seems strange that no regulations with regard to this should have yet been made by the Law Society, and I think the sooner they are framed the better. So many dishonourable or questionable practices in connection with the University local examinations, both on the part of masters and candidates, have recently been brought to light, that a strong prejudice exists against them in some quarters, and they have fallen into much discredit.

Sept. 20.

R. H. GAMSON.

Cases of the Week.

INJUNCTION—AGREEMENT TO ACT—ABSENCE—NEGATIVE CLAUSE—EXCLUSIVE NATURE OF AGREEMENT—CONSTRUCTION.—In a case of *Robertson v. Bellew*, before Lindley, J., sitting for the Vacation Judge, on the 16th inst., an important question was argued as to the right of the plaintiffs to restrain the defendant from acting for any other persons except themselves, there being no negative clause to that effect in the agreement. By the agreement made between the plaintiffs and the defendant, dated the 17th of April, 1880, the defendant bound himself to act for them during the year 1880 for ten months certain out of the twelve, and for six performances a week. The agreement contained provisions for a continuance of the engagement during 1881 and 1882, on the plaintiffs giving two months' notice before the close of the year. If required by the plaintiffs to play out of London, his travelling expenses were to be paid by them. In the agreement there were provisions for an increase of salary in November, 1880, and during each renewed year. The defendant had recently been in ill-health, but was now able to act again, and had been requested to perform by the plaintiffs for two weeks at Liverpool, and three weeks subsequently at Glasgow. The defendant was about to accept an engagement with other parties, contending that the plaintiffs had broken their agreement with him. The defendant's contention was that the agreement had been intended only to apply to a particular theatre in London then leased by the plaintiffs, but which had recently been given up by them. Also that he was not bound to go anywhere when the plaintiffs required, and that he was only bound to act out of London during what is known as the short summer season, and which was now over. He further contended on the construction of the agreement that it would come to an end on the 1st of November, that being the end of the theatrical year, and that this was shown by the fact of his increased salary beginning at that date. He further argued that the notice of renewal was required to be given two months before November 1, and could not now be given. The plaintiffs relied on the *dicta* in *Lumley v. Wagner* (1 D. M. & G. 604), that although there were no negative words, still that the agreement was exclusive, and also on the authority of *Montagu v. Stockton* (L. R. 16 Eq. 189). The defendant relied on *Fechter v. Montgomery* (33 Beav. 22), as showing that the agreement was non-exclusive. LINDLEY, J., was of opinion, although the construction was not very clear, still, on the whole, that the agreement was exclusive, and that during its continuance the defendant could not act for any other persons than the plaintiffs. He also considered that the defendant was bound to act wherever required by the plaintiffs. He did not say what might happen if the defendant were required to do anything unreasonable, but at present the plaintiffs only asked him to act for a very short time out of London, and he could see nothing unreasonable in their so doing. He could also not acquiesce in the defendant's contention that the agreement would come to an end on the 1st of November, or that the word "year" was to be

read in any other than its ordinary signification. The defendant, therefore, would be restrained from acting, or allowing himself to be advertised as being about to act, for any persons other than the plaintiffs during the year 1880.—SOLICITORS, F. Richardson & Sadler; Lewis & Lewis.

TRESPASS—INJUNCTION—BALANCE OF CONVENIENCE.—In a case of *Willis v. Mayor of Leamington*, before Lord Coleridge, Vacation Judge, on the 22nd inst., a motion was made by the plaintiff, the alleged owner of certain land at Leamington, to restrain the defendants, the Corporation of Leamington, and others from erecting an obelisk on the piece of ground to the memory of a deceased tradesman, on the ground that his consent had not been obtained, and that the erection would interfere with a right of view, and also obstruct a public footpath. The corporation admitted that there was a question of title to be tried, and submitted to allow the *interim* injunction to be continued. The other defendants on the cases contended they were entitled to make the erection, but they also offered, if necessary, to give an undertaking to pull down the obelisk if found in the wrong at the trial, and they submitted that on the balance of convenience the erection should be allowed to be completed. LORD COLERIDGE, C.J., although on the law he was inclined to think the defendants were right, yet on the balance of convenience thought things should be kept *in statu quo*. He therefore continued the *interim* injunction over the second motion day in November.—SOLICITORS, Keane & Marsland; Milne & Co.

ATTACHMENT—DELAY—VACATION BUSINESS.—In a case of *In re East Pant Du Lead Mining Company*, also before the Vacation Judge on the 22nd inst., an application was made for an attachment for not bringing in certain accounts against a respondent now in gaol for another offence. An application for the motion to stand over for a week was made by the respondent's counsel, but this was objected to by the applicant unless an undertaking for the production of the prisoner on the 29th, when he would be released, were given. This was refused, and the motion was heard on the applicant's affidavit only. The facts appeared to be that the order to bring in the account was made in January last, and that no step to enforce the order was taken until September, when notice was given that, unless the account was left, a motion to commit would be made. The order not having been obeyed, notice of motion for this day was given on the 18th inst. An objection to the motion, as not being vacation business, was taken by the respondent's counsel, inasmuch as the order had not been attempted to be enforced from January until September. LORD COLERIDGE, C.J., was of opinion that the motion was vacation business, and said he should make the order asked for, but would give the respondent leave to move to discharge the same on the 29th inst.—SOLICITORS, Chappell, Son, & Griffin; E. Wariner.

COMPANY—VOLUNTARY LIQUIDATION—RESTRAINING EXECUTION—COSTS OF SHERIFF.—In the case of *In re Chepstow Steamboat Carrying Company (Limited)*, also before the Vacation Judge on the 22nd inst., a motion was made by the voluntary liquidator of the company to continue an *interim* order restraining a creditor from proceeding with execution on a judgment in the Exchequer Division. An extraordinary resolution for a voluntary winding up had been passed on the 5th of July, and the creditor had obtained his judgment on the 25th of July, and the sheriff had seized a steamer, the property of the company, on the 7th inst. An *interim* injunction had been granted, and it was alleged that the creditors had notice of the voluntary winding up when they obtained their judgment. It was submitted that under section 133 of the Companies Act, 1862, the assets were to be divided *pari passu*, and therefore that the liquidator was entitled to the injunction asked for, and also that the creditors ought to pay the costs of the motion, they having proceeded after notice of the winding up. For them it was not contended that they could object to the injunction, but they submitted that the same should be granted without costs. The sheriff had been served with the notice of motion, and appeared and asked that his costs might be provided for, either by the creditors, if the court had jurisdiction to make such an order, or by the liquidator, he adding the sheriff's

costs to his own and getting them from the creditors. For the liquidator, in reply, reference was made to *Waterloo Life Assurance Company's case*, No. 2 (31 Beav. 539), as showing that the sheriff should get his costs from the persons employing him. Lord COLERIDGE, C.J., was of opinion that the injunction must be made perpetual, and that the creditors must pay the costs of the motion. As to the costs of the sheriff, if the *Waterloo Company's case* had been reported at length, he should probably have followed it without question, but the report was very short, and it did not clearly appear whether the costs therein referred to as being ordered to be paid by the employers of the sheriff were his ordinary costs of possession or the costs of the motion. Under the circumstances, he thought the proper order to make, as the liquidator had brought the sheriff there, would be to order him to pay his costs in the first instance, and then add them to his own costs and get them from the creditors.—SOLICITORS, *Ingledew & Ince; Johnston & Harrison*.

INTERSTACY—APPOINTMENT OF RECEIVER AND MANAGER EX PARTE—DISCHARGE OF ORDER—INTERFERENCE WITH BUSINESS—UNDERTAKING TO TAKE OUT ADMINISTRATION.—In a case of *Werner v. Beyer*, also before the Vacation Judge on the 22nd inst., a motion was made to discharge an *ex parte* order for a receiver and manager of an intestate's assets and business obtained under the following circumstances:—It appeared that the intestate had, prior to his death, entered into a contract for the sale of a business carried on by him to his manager for a sum of £1,900, part of which had been paid on deposit, the purchase to be completed on the 1st of January, 1881, and, in the meantime, the purchaser to continue to act as manager of the business. The intestate left a widow, who had resided for some years in France, though on friendly terms with her husband; and some children. The action was commenced by a married daughter against her mother and others to protect the assets pending the appointment of a legal personal representative, and a receiver and manager of the business was appointed *ex parte*, on allegations that it was not known whether the widow was coming back or going to apply for administration, and that, in the meantime, there was risk of the business being mismanaged and the assets lost. The plaintiff had lodged a caveat against administration being granted to the widow. The receiver at once took possession of the business and an affidavit of the purchaser was filed in which he stated that the greatest injury would be done to the business if the receiver continued in possession. There was no proof of misconduct on the part of the purchaser, and it was admitted that the agreement for purchase was a perfectly fair and proper one. The widow on the present motion filed an affidavit in which she stated she had now come to England and intended to reside there, and was going at once to take out letters of administration. Lord COLERIDGE, C.J., said that the *ex parte* order had been improperly obtained, and he discharged the same and ordered the next friend to pay the costs of the motion.—SOLICITORS, *Oliver Richards; Rooks & Co.; Philpott*.

In *Nuckolls v. Commonwealth* (32 Gratt. 884), says the *Albany Law Journal*, it is held that the game of poker, or draw poker, is not a game of the like kind with faro, keno, &c., and does not come within the meaning of the statute against keeping tables for such games or "tables of the like kind." In *Stith v. State* (13 Ark. 680), it was held by the Supreme Court of that State that the owner or occupant of a house, &c., cannot be indicted under the 4th section of the Gaming Act for permitting poker or any of the small games of cards mentioned in the 8th section of the Act to be played in his house, &c., but only for suffering some of the games, tables, cards, &c., embraced in the previous sections to be played, &c., therein. The court said: "An attentive perusal of the statute makes the conclusion almost irresistible that the first seven sections are intended to relate exclusively to the banking games, whether called by the names specified or by any new name or device. They are usually exhibited by persons whose occupation it is to prey upon the community, and who are therefore peculiarly obnoxious to the laws, which design also to punish with equal severity those who allow them to be exhibited in their houses." In *Kennon v. King* (2 Mont. 437), the court held that poker was a game of chance, and they would take judicial notice of it.

JUVENILE OFFENDERS.

THE Home Secretary has addressed a letter to the Mayor of Manchester on this subject, in which he says that, as the result of his inquiries, "in far the majority of cases the magistrates have expressed great reluctance to send the childish offender to gaol, but have pointed out defects in the present law which have left them sometimes hardly any alternative. The discovery of these defects and the appropriate remedy is one of the principal uses of the inquiry I am now conducting. It seems clear that the existing restrictions on committals to industrial schools, and on the employment of a moderate personal chastisement for small offences as a substitute for imprisonment require to be re-considered. There is another evil which is very conspicuous. Small fines, from 6d. to 2s. 6d., are often imposed for petty acts of mischief. But, unfortunately, the costs swell the amount to a sum which poor parents are either unable or unwilling to pay. The costs are often ten times the amount of the fine. The child in default goes to prison, while his companions in the offence whose parents are better off remain at large. I have several cases before me where the older offenders, and, no doubt, the ringleaders, have thus got off, while the child of ten or eleven, who has been led astray, has gone to prison, with the most fatal consequences to his future life. These are surely defects in the administration of justice, pressing as they do with the greatest severity on the poor, which require reform."

The Manchester Committee on this subject have drawn up a scheme which has been printed under the heading "Revised draft instructions for a Bill to amend the law with regard to juvenile offenders." By the early clauses of the proposed Bill provision is made for the establishment by the local authority of "places of detention" with separate accommodation for male and female children. A place of detention is not to be a prison, but "a place where the inmates are boarded, lodged, instructed, employed industrially, and subjected to proper discipline in accordance with certain rules." The plans and rules of places of detention are to be approved by the Home Secretary. Children are to be sent to these places of detention instead of to the common gaol. Special provision is to be made to guard children against contamination by detention in the common lock-ups. They are not to remain more than forty-eight hours at a police station. They are to be kept apart from adults even during their removal to the court and their accommodation at court. Clause 9 runs thus:—"Where a child is charged before a criminal court with any indictable or other offence, and is ordered to be sent to a place of detention, the order shall be by way of remand and not of committal under a criminal sentence, and it shall be within the discretion of the court to order him to be sent to a certified industrial school, or to a certified reformatory school, and if there be no certified industrial or certified reformatory school where the managers are willing to receive any such child, he shall be detained by remand from week to week in a place of detention until such certified industrial or certified reformatory school may be found. In every case in which a child is remanded by a criminal court to a place of detention he shall be again brought before the court at the expiration of the period of his remand, and the court shall inquire into his conduct while under detention, and shall either further remand him to a place of detention or shall commit him to a certified industrial school, or to a certified reformatory school, or shall order him to be discharged as they may think fit." In case of emergency the workhouse may be used as a place of detention. A penalty is imposed for employing a child in contravention of the Bill, and employment is defined so as to include the case of a parent (or guardian) sending a child into the streets for purposes of gain. The parent (or guardian) of a juvenile offender is liable to have an order made upon him to contribute a weekly sum, not exceeding 7s., towards the maintenance of the juvenile offender in a reformatory or industrial school or a place of detention.

With reference to the statement as to the possible retirement of one of the Scottish judges, and that "Mr. M'Laren will take the vacant seat," the *Scotsman* is authorized to state that the Lord Advocate is not a candidate for judicial promotion.

Obituary.

LORD CHIEF BARON KELLY.

The Right Hon. Sir Fitzroy Kelly, knight, Lord Chief Baron of the Exchequer Division, died at Brighton on the 17th inst., aged eighty-four. The deceased judge was the son of Captain Robert Hawke Kelly, R.N., and he was born in 1796. He formerly practised as a special pleader below the bar, and was called to the bar at Lincoln's-inn in May, 1824. He had already attained a reputation as a clever special pleader and a sound lawyer, and was soon successful in acquiring junior business. He first joined the Home Circuit, but a year or two later became a member of the old Norfolk Circuit, where he soon attained a good position. His chambers were much resorted to by students, and Lord Justice Bramwell and the late Mr. Justice Honyman were among his pupils. In 1834, although only of ten years' standing, he was created a Queen's Counsel. He soon obtained the lead of his circuit, and steadily acquired an extensive and lucrative commercial business in London. He was for many years standing counsel to the Bank of England and to the East India Company. His politics were Conservative, and he always took an active part in political life. He unsuccessfully contested Hythe in 1830, and Ipswich in 1832. He was elected M.P. for the latter borough in 1835, but was unseated on petition. He was again an unsuccessful candidate there in 1837, but the seat was awarded to him after a scrutiny. He was unsuccessful at Ipswich at the general election of 1841, but he represented Cambridge from 1843 till 1847, when he unsuccessfully contested Lyme Regis. He represented Harwich for a few weeks in 1852, when he was elected M.P. for East Suffolk, which constituency he represented during the remainder of his parliamentary career. In June, 1845, on the death of Sir William Follett, Sir Frederick Thesiger became Attorney-General, and the Solicitor-Generalship in Sir Robert Peel's administration was conferred upon Mr. Kelly, who then received the honour of knighthood, but in July, 1846, he retired with his party. He had supported Sir R. Peel's Free Trade measures, but in Opposition he acted with the Protectionist party under Lord George Bentinck and Mr. Disraeli. He was again Solicitor-General under the Earl of Derby's first administration, but his tenure of office extended only from February to December, 1852. Under Lord Derby's second administration (from February, 1858, till June, 1859) Sir F. Kelly held the office of Attorney-General, after which he again spent seven years in Opposition. He had now attained the foremost rank at the common law bar, besides being often retained specially in the Court of Chancery, and in peerage and other cases before the House of Lords, and in Privy Council appeals. He was an agreeable speaker, with a polished style of delivery, though in the latter part of his career he often erred on the side of prolixity. He had been employed in many cases of an important character. He was engaged for the defence of several of the Chartist ringleaders, in the *O'Connell* case before the House of Lords, and in the prosecution of Dr. Newman for a libel on Dr. Achilli. He was also counsel in *Egerton v. Earl Brownlow*, *Gorham v. Bishop of Exeter*, the *Shrewsbury Peerage* case, and many other important cases, and, as Attorney-General, he prosecuted Dr. Bernard in 1858 on a charge of being concerned in a conspiracy of Orsini and others to murder the Emperor of the French. According to a statement in the *Times* he was for some time in receipt of an income of £25,000 a year. Sir F. Kelly took an active part in the business of the House of Commons. He repeatedly brought forward a resolution in favour of the repeal of the Malt Tax, and he also introduced a measure dealing with corrupt practices at elections, some of the details of which were incorporated by a select committee in the Bribery at Elections Act, 1854, which was carried by Lord John Russell. Another measure introduced by him (though afterwards withdrawn) was a Bill for the establishment of a Court of Appeal in criminal cases. In July, 1866, immediately after the formation of Lord Derby's third administration, Sir Frederick Pollock resigned the office of Lord Chief Baron of the Court of Exchequer, and the vacant post was conferred upon Sir Fitzroy Kelly, who was sworn in as a member of the Privy Council. He was then seventy years of age, but he soon showed that his mental powers were as

yet unimpaired. His demeanour as a judge was courteous and dignified, and his judgments were carefully prepared and well expressed. On several occasions (as in *Mordaunt v. Moncreiffe*) his judgment as a dissentient judge was eventually upheld by the House of Lords. In the complicated libel case of *Rubery v. Grant* (which was tried before him about six years ago), his summing up of the evidence was greatly admired for its ability and clearness. Sir F. Kelly will also be remembered for the elaborate harangue (occasionally of a political complexion) with which he was accustomed to welcome (and sometimes weary) a new Lord Mayor on his being sworn in before the Exchequer Division on the 9th of November. For the last three or four years he had shown symptoms of failing powers, and had become slow in the dispatch of business, but he still declined to relinquish his office. Some two or three years ago he was attacked by garotter when on his way home in the evening, but, although one of his ribs was broken, he resumed his judicial duties a few days afterwards. Although in a weak state of health, he went the South-Eastern Circuit in July of the present year. He returned to town very much fatigued by his labours, and at once proceeded to Brighton in the hope of recruiting his strength. He retained his mental faculties until the day of his death, which occurred after less than a week's illness, and was mainly the result of old age. Sir F. Kelly was a bencher of Lincoln's-inn, and a magistrate and deputy-lieutenant for the county of Suffolk. He had been for several years a widower (having been twice married), and he leaves four daughters. He was buried at Highgate Cemetery on Wednesday last.

MR. SERJEANT SARGOOD.

Serjeant Augustine Sargood died at Frankfort, on the 14th inst., from apoplexy of the heart, after a short illness. The deceased was born in 1805, and was called to the bar at Gray's-inn in Michaelmas Term, 1846. He for many years confined his practice to the old Insolvent Debtors' Court, but after the passing of the Bankruptcy Act, 1861, and the abolition of the separate insolvency jurisdiction, he practised with considerable success in the Court of Bankruptcy. He was created a serjeant-at-law in 1863, at the same time with Serjeant Sleigh and the late Serjeant Cox (this being the last occasion of the creation of a serjeant, otherwise than in the case of newly-appointed common law judges), and he received a patent of precedence in 1872. He afterwards practised before the Parliamentary Committees, being also often specially employed in arguing bankruptcy appeals before the Chief Judge and the Lords Justices, and he had also been engaged in many election petitions. Mr. Serjeant Sargood retired from practice four or five years ago in consequence of failing health, and had ever since resided on the Continent. He was buried at the Frankfort Cemetery on the 17th inst.

Mr. Justice Lush sat on Tuesday at judges' chambers. There were upwards of 100 summonses on the list, and a number before Master Francis.

Up to the present time the following sittings of the Commissions to inquire into corrupt practices at elections are stated to have been arranged:—Mr. Charles, Q.C., commences the sitting of his Commission (Canterbury) on the 27th inst.; Mr. John B. Aspinall, Q.C. (Gloucester), first week in October; Mr. A. H. Collins, Q.C. (Chester), about the 6th of October; Mr. Merewether, Q.C., (Macclesfield), about the 4th of October; Mr. L. W. Cave, Q.C., (Oxford), about the 4th of October.

A writer in the New York *Graphic* publishes some remarkable statistics to show that American expenditure for judicial services is, in the aggregate, larger than that of England. Thirty-four judges, he affirms, discharge the law business of England and Wales at an aggregate cost of less than one million dollars, the population served being about twenty-five millions; while New York State alone employs over four hundred and fifty judicial officers, at a compensation of more than a million dollars, to administer justice to a population of five million people. Expense per head in the British kingdom less than four cents; in New York, over twenty-five cents. [?]

Societies.

INCORPORATED LAW SOCIETY.

The seventh annual provincial meeting of the Incorporated Law Society of the United Kingdom will be held on Wednesday and Thursday, October 6 and 7, 1880, at the Cutlers' Hall, Church-street, Sheffield. The business meetings will take place in the Old Banqueting Hall. The following is the programme of the proceedings:—

Wednesday, October 6.—The chair will be taken at 11 o'clock, a.m., by the president, Mr. John Moxon Clabon. 11 a.m. to 1.30 p.m., president's address; reading and discussion of papers. 1.30 p.m. to 2.30 p.m., adjournment for lunch, which will be provided in the front room of the Cutlers' Hall. 2.30 p.m. to 4.30 p.m., reading and discussion of papers. 6.30 p.m. for 6.45 p.m. precisely, dinner given by the Sheffield District Incorporated Law Society, at the Cutlers' Hall, in the large banqueting room. Mr. William Wake, the president, in the chair.

Thursday, October 7.—10 a.m. to 11 a.m., meeting of the Solicitors' Benevolent Association in the Cutlers' Hall. 11 a.m. to 1.30 p.m., Law Society's adjourned meeting; reading and discussion of papers. 1.30 p.m. to 2.30 p.m., adjournment for lunch. 2.30 p.m. to 4.30 p.m., reading and discussion of papers. 9 p.m. to 1 a.m., *conversazione* and dance at the Cutlers' Hall, Church-street.

Ladies' tickets for the *conversazione* and dance may be obtained on application to the honorary secretary.

Friday, October 8.—10 a.m., excursion to Chatsworth.

The arrangements for the excursion are as follows:—

The excursion is confined to members of the Incorporated and the Sheffield District Law Societies. They will assemble at the Cutlers' Hall, at 9.45 a.m. The carriages will start at ten o'clock punctually, and will pass up West-street and Clarkhouse-road, through Eccleall, over the Moors to Fox House and Froggatt Edge, and so to Baslow and Chatsworth. This is one of the most beautiful drives in England. The arrival at Chatsworth will be about 12.30 p.m. His Grace the Duke of Devonshire has kindly consented to allow the whole of the house and gardens to be seen, and the great fountains, said to be the highest in Europe, reaching to 270 feet, to be played. A substantial lunch, provided by the Sheffield District Law Society, will be served at the Edensor Inn, Chatsworth, the Peacock, Baslow, &c., at 2.30 p.m. The return journey will commence about five o'clock, and will be by way of Owlter Bar, Totley, and Abbeydale, reaching Sheffield at seven o'clock.

Members wishing to start for their homes from Chatsworth, instead of returning to Sheffield, can probably be conveyed to the Rowsley Station of the Midland Railway (four miles from Chatsworth), to meet the up train to London and the down to Manchester, on giving two clear days' notice to the honorary secretary.

The committee of the Sheffield Club, Norfolk-street, have passed a resolution allowing members, on production of their card of membership, to use the club during their visit.

The inquiry office and writing room, where full information can be obtained, will, during the meeting, be at the Cutlers' Hall, the first door on the left after entering from Church-street. Post and telegraph direct from this room.

Gentlemen desiring further particulars prior to the meeting are requested to apply to the honorary secretary of the Sheffield District Incorporated Law Society, Mr. Herbert Bramley, 6, Paradise-square, Sheffield.

The hotels are shown on the plan. As some of them are already filled, application for rooms should be made to the honorary secretary, who will be pleased to attend to the wishes of members. If a member makes arrangements for himself, or is to stay with a friend, it will lighten the secretary's work if he is informed of this.

A meeting of metropolitan magistrates will be held in a few days to discuss the recent letter of the Home Secretary on the punishment of juvenile offenders. In all probability large number of town and country magistrates will attend.

ASSESSMENT OF WORKHOUSES AND INFIRMARIES.

THE following letter, affecting the quinquennial assessments now in progress, has been received by the Hackney Board of Guardians from the Local Government Board:—

"Sir,—I am directed by the Local Government Board to state that they have had their attention drawn to the absence of uniformity in the system of assessment of workhouses and infirmaries buildings in the metropolis, when situate within the unions of parishes to which they belong. The board find that in some instances the establishments referred to are altogether omitted from the valuation lists, while in others the amounts inserted are considerably below the assessable value of the property, the result being that the contributions of the unions and parishes in question to the metropolitan common poor fund are necessarily based upon lower totals than they would otherwise be. With a view, therefore, of remedying this anomaly in future, the board feel it to be their duty to impress upon the assessment committees the necessity of taking steps during the pending revision of the metropolitan valuation lists for insuring that all workhouse and infirmaries buildings and other property used for poor-law purposes within the parish or union for which they act shall be duly entered in the valuation lists and assessed therein at their proper value. The board think it right to remind the assessment committee that under the provisions of section 32 of the statute of 32 & 33 Vict. c. 67, it is competent for any board of guardians or assessment committee in the metropolis to appeal to the Assessment Sessions, if they should feel aggrieved at the total amount of the gross or rateable value of any parish being too high or too low.

"I am, Sir, your obedient servant,

"JOHN LAMBERT, Secretary.

"To the Clerk to the Assessment Committee of the Hackney Union."

ORDER ON HIGHWAY BOARD TO REPAIR ROAD.

At the Bedford Petty Sessions on Saturday (Mr. Thornton presiding), a case was decided which raised some points of interest for the various highway boards in the country. It appears that for some few years grave complaints have been made, at first to the highway board of the Bedford district, and subsequently by presentment to quarter sessions, by a county magistrate, Mr. W. F. Higgins, of Turvey House, as to the dangerous condition of the public road (formerly a turnpike) leading from Turvey to Bromham, where it joins the main highway from Bedford to Newport Pagnell. Notwithstanding these complaints the highway board took no action, and consequently the only remedy left to Mr. Higgins appeared to be to proceed against the board under the 18th section of the Highway Act of 1862. Accordingly he laid an information a few weeks ago against the waywardens of the three parishes in which the road complained of lies, and the justices, acting under the section referred to, directed that the condition of the road should be reported upon to them by the county surveyor of Northamptonshire, who would be an independent and impartial witness. Messrs. Law & Son, of Northampton, discharge the duties of county surveyor, and in their report, which was considered at the special session on Saturday last, the validity of the complaint of Mr. Higgins was abundantly upheld. Mr. Mitchell, solicitor for the complainant, then asked the bench to make an order upon the board in accordance with the powers conferred upon them under section 18. Mr. Jessopp, solicitor and clerk to the board, objected on the ground that the justices had not complied with the section by appointing Messrs. Law & Son instead of "a competent person," but this was overruled. He next tendered evidence on behalf of the board as to the state of repair of the road, with a view to rebut the report, but the court refused to hear such evidence. On these two points he gave notice that within seven days he should ask for a case to the superior court. The bench ultimately made an order on the board to put the road in a "complete and effectual" state of repair within eighteen months, and to pay the costs, which amounted to £14 16s. 2d. It was contended for the board that the justices had no power under section 18 to award costs, but, on the other side, it was

pointed out that under Jervie's Act the magistrates have discretion to order payment of costs by a defendant whenever they make an order. Notice of appeal on this head also was given, the case to be applied for within seven days.

Appointments, Etc.

Mr. HENRY MASON BOMPAS, Q.C., who has been appointed a Commissioner to inquire into the existence of corrupt practices in the Borough of Knaresborough, is the son of the late Serjeant Bompas. He was educated at St. John's College, Cambridge, where he was fifth wrangler in 1858, and he also graduated LL.B. at the University of London in 1862. He was called to the bar at the Inner Temple in Hilary Term, 1863, and became a Queen's Counsel in 1877.

Mr. JOHN BONNETT, solicitor, has been appointed Deputy-Coroner for Cambridgeshire. Mr. Bonnett is also clerk to the Harston School Board. He was admitted a solicitor in 1876, and is in partnership with Mr. Charles William Palmer, the coroner for the county.

The Hon. BERNARD JOHN SETMOUR COLERIDGE has been appointed Secretary to the Chester Election Commission. Mr. Coleridge is the eldest son of Lord Coleridge, and was born in 1858. He was educated at Trinity College, Oxford, where he graduated second class in modern history in 1876. He was called to the bar at the Middle Temple in June, 1877, and he is a member of the Western Circuit.

Mr. RICHARD HENN COLLINS, barrister, who has been appointed a Commissioner to inquire into the existence of corrupt practices in the Borough of Boston, is the son of the late Mr. Stephen Collins, Q.C., of the Irish bar. He was formerly fellow of Downing College, Cambridge, where he graduated in the first class of the classical tripos in 1865. He was called to the bar at the Middle Temple in Michaelmas Term, 1867, and he is a member of the Northern Circuit. Mr. Collins is one of the revising barristers for Lancashire.

Mr. CHARLES CROMPTON, barrister, who has been appointed a Commissioner to inquire into the existence of corrupt practices in the Borough of Knaresborough, is the eldest son of the late Mr. Justice Crompton. He was formerly fellow of Trinity College, Cambridge, where he graduated as fourth wrangler in 1855. He practised for a short time as a special pleader, and was called to the bar at the Inner Temple in Trinity Term, 1864. Mr. Crompton is a member of the Northern Circuit.

Mr. ALBERT VENN DICEY, barrister, who has been appointed a Commissioner to inquire into the existence of corrupt practices in the City of Canterbury, is the son of Mr. Thomas Edward Dacey, of Claybrook Hall, Leicestershire. He was educated at Balliol College, Oxford, where he graduated first class in *Literæ Humaniores* in 1858. He obtained the Arnold Prize in 1860, and was afterwards elected a fellow of Trinity College. He was called to the bar at the Inner Temple in Hilary Term, 1863, and is a member of the Northern Circuit. Mr. Dacey is junior counsel to the Commissioners of Inland Revenue.

Mr. HENRY HOWARD, solicitor, of Greenwich, has been appointed a Commissioner to administer Oaths in the Supreme Court of Judicature.

Mr. JOHN WEST JONES, solicitor (of the firm of Tennant, Paine, & Jones), of Hanley, Leek, and Stone, has been appointed Solicitor to the Hanley Starr Bowkett Building Society, in succession to the late Mr. Alfred Tennant. Mr. Jones was admitted a solicitor in 1877.

Mr. WILLIAM ALEXANDER LINDSAY, barrister, who has been appointed a Commissioner to inquire into the existence of corrupt practices in the Borough of Boston, is the eldest son of the Hon. Colin Lindsay, and was born in 1846. He is a graduate of Trinity College, Cambridge, and he was called to the bar at the Middle Temple in Easter Term, 1873. He is a member of the Northern Circuit.

Mr. FRANK LOCKWOOD, barrister, who has been appointed a Commissioner to inquire into the existence of corrupt practices in the City of Chester, is a graduate of Caius College, Cambridge. He was called to the bar at Lincoln's-inn in Hilary Term, 1872.

Mr. RALPH CHARLTON PALMER, barrister, has been appointed Clerk of the Crown in Chancery, in succession to Mr. Charles Romilly, resigned. Mr. Palmer is the third son of Lieut.-Col. George Palmer, of Nazing-park, Essex, and was born in 1839. He was educated at Winchester and at Balliol College, Oxford, where he graduated third class in classics in 1861. He was called to the bar at Lincoln's-inn in Trinity Term, 1864, and he has practised in the Chancery Division, having formerly been a member of the Home Circuit. Mr. Palmer was secretary to the Public Schools Commissioners, and he was appointed principal secretary to the Lord Chancellor in April last.

Mr. JOHN SHORTT, barrister, who has been appointed a Commissioner to inquire into the existence of corrupt practices in the Borough of Macclesfield, is a B.A. of Trinity College, Dublin, and an LL.B. of the University of London. He was called to the bar at the Middle Temple in Michaelmas Term, 1866 (when he obtained a first-class certificate of honour).

Mr. CHARLES WILLIAM REES STOKES, solicitor, of Tenby, has been elected Town Clerk of that borough, in succession to his partner, the late Mr. John Gwynne. Mr. Stokes was admitted a solicitor in 1864.

Mr. ALBERT CHILDERS METSEY THOMPSON, barrister, has been appointed a Commissioner to inquire into the existence of corrupt practices in the Borough of Macclesfield. He was called to the bar at the Inner Temple in Trinity Term, 1872.

Mr. WILLIAM MOUNTFORD KINSEY VALE, barrister, has been appointed Attorney-General of the Colony of Victoria in the new Administration. Mr. Vale was called to the bar at Gray's-inn in July, 1878.

Mr. THOMAS WALTERS, solicitor, of Carmarthen and Lampeter, has been elected Clerk to the Carmarthen School Board. Mr. Walters was admitted a solicitor in 1876.

Mr. GEORGE EDWARD WEBSTER, solicitor (of the firm of Webster & Styling), of Sheffield, has been appointed Solicitor to the Sheffield Water Consumers' Defence Association. Mr. Webster was admitted a solicitor in 1865.

DISSOLUTION OF PARTNERSHIP.

ALFRED LEGGE and JOSEPH DENISON, 33, Mosley-street, Newcastle-upon-Tyne, solicitors (Legge & Denison). Sept. 15 [Gazette, Sept. 17, 1880.]

Companies.

WINDING-UP NOTICES.

JOINT STOCK COMPANIES.

LIMITED IN CHANCERY.

MID-CANNOCK COLLIERY COMPANY, LIMITED.—By an order made by Baron Pollock, dated Sept. 8, it was ordered that the voluntary winding up of the above company be continued. Taylor and Co, Gt. James st, Bedford row, agents for Wise and Co, Ashborne, solicitors for the petitioner.

PATENT LIONITE MANUFACTURING COMPANY, LIMITED.—By an order made by V.C. Malins, dated Sept. 8, it was ordered that the above company be wound up. Lumley and Lumley, Old Jewry chambers, solicitors for the petitioner.

[Gazette, Sept. 17.]

BRISTOL STEAM FERRY COMPANY, LIMITED.—Petition for winding up, presented Sept. 18, directed to be heard before Lord Coleridge, on Sept. 29. Scott, Aldermanbury, agent for Waterhouse, Bristol, solicitor for the petitioners.

MINERAL CORPORATION OF GREAT BRITAIN, LIMITED.—Petition for winding up, presented Sept. 16, directed to be heard before Lord Coleridge, on Sept. 29. Abrahams and Co, Old Jewry, solicitor for the petitioners.

[Gazette, Sept. 21.]

FRIENDLY SOCIETIES DISSOLVED.

TAFF WELL MEN'S FRIENDLY SOCIETY, Taff's Well Inn, Eglwysilan, Glamorgan. Sept. 16

[Gazette, Sept. 17.]

COURT HARK TO BOUNTY, 1135, A.O.F. SOCIETY, Hark to Bounty Inn, Slaidburn, Clitheroe, York. Sept. 18

RYE ANCIENT TOWN FRIENDLY BENEFIT SOCIETY, Schoolroom, Mornmaid st, Rye. Sept. 18

[Gazette, Sept. 21.]

The Registration Courts.

MARYLEBONE.—(MR. J. N. GOREN).—Sept. 17.

Attendance of New Lodger Claimants.

Mr. Seager (Liberal) said he was going to ask his Honour not to strike out the names of lodgers who did not put in an appearance, on the ground that, according to the Act, the declaration annexed to the notice of claim was *prima facie* evidence of the claim. He contended that the 23rd section of the Parliamentary and Municipal Registration Act, 1878, applied to all lodgers, and that the *onus* lay upon any person objecting to prove that the lodger was not entitled to be registered, and that the attendance of the lodger was not compulsory or even required at the revision. The 25th section of the same Act imposed a penalty on the lodger, to the extent of twelve months' imprisonment, if he made a false declaration, and that he contended was intended to obviate the necessity of the lodger attending the revision in the same way as all other claimants, who were under no such penalties, were required to do. It should be remembered that the Act of 1878 was not the one conferring the franchise; the Act of 1867 was the one that did it, which gave the same form for the declaration of facts.

Mr. Wood (Conservative) said this was entirely in favour of the old lodger, but the new lodger had nothing to do with *prima facie* evidence. He should contend that new lodgers were obliged to come forward to substantiate their claims. At any rate they must come forward and prove their claims by producing evidence to satisfy the revising barrister. The moment that was done he and his party would always be satisfied.

Mr. Seager: No distinction is made in the 23rd section between an old lodger and a new lodger.

The BARRISTER: Do you mean to say that in the case of those lodgers who have signed a declaration, and do not come here to-day, the declaration shall be *prima facie* evidence?

Mr. Seager: I do, and I shall object to all names of lodgers being struck out, although they do not attend here to-day; and if they are struck out I shall ask for a case for a superior court in respect of all such cases.

The BARRISTER said that Lord Coleridge and Mr. Justice Denman were of opinion that the Act applied to old and not to new lodgers, but Mr. Justice Lindley held that there was some doubt on the point. He (the Barrister) therefore found that two of the judges, who were his guides to a great extent, indorsed Mr. Wood's views, and he was of opinion that the Act applied to old lodgers and not to new lodgers.

Upon this Mr. Seager asked for a case, which the BARRISTER granted.

CITY OF LONDON.—(MR. O. J. WILLIAMSON).—Sept. 22.

Attendance of New Lodger Claimants.

Mr. Hughes (Conservative) asked what course would be adopted with regard to lodgers who could not personally attend. He thought that under section 23 their attendance could be dispensed with.

The BARRISTER said that section 23 did not apply to new lodgers, and he believed it was intended when this Bill was passed that new lodgers must come before the court. Section 23 was only intended to apply to old lodgers.

Mr. Hughes said that he did not think that intention had been carried out.

The BARRISTER said that when the lodger claims came on, if the agents had investigated the matter and were satisfied, he would raise no objection, subject to the condition that if any third party appeared to object proper notice should be given.

BLACKBURN.—(MR. T. H. JAMES).—Sept. 20.

Notice of Objection.

Mr. Eastham (Liberal) contended that over 1,000 notices of objections given by the Conservative agent were bad, on the ground that the double notices to voters on the parliamentary and municipal lists were only addressed, stamped, and registered once, instead of being addressed, stamped, and registered for each notice, as he alleged the Act of Parliament required. Mr. Brooks, postmaster, was examined, and deposed that last year he received from the Postmaster-General a circular, dated the 25th of

July, in which it was stated "by the 40th section of the Parliamentary and Municipal Registration Act, 1878 (41 & 42 Vict. c. 26), it is enacted that the provisions of section 101 of the Parliamentary Electors Registration Act, 1848 (6 Vict. c. 18), as to the service of notices should apply to the service of notices under the former Act. Notices under the Act of 1878 brought to money order offices in England for transmission through the post must therefore be dealt with in the same way as any such notices under the Act of 1848 have hitherto been dealt with. The Act of 1878, however, includes notices relating to municipal elections as well as notices relating to parliamentary elections, and it must happen in boroughs which are both parliamentary and municipal that two notices—one parliamentary and the other municipal—may be sent on one piece of paper to a person who is both a parliamentary and a municipal elector. In those cases the two notices are to be treated as one, and the charge for postage and registration must be levied upon one letter only."

The BARRISTER gave his decision that the notices were good, but he granted a case.

BRIGHTON.—(MR. JEMMETT).—Sept. 20.

Notice of Objection.

The question arose whether the return of a notice of objection through the "Dead Letter" office was sufficient evidence of decease or removal to justify the erasure of the voter's name from the list, it being stated that there were numerous cases in which such notices had been returned with indorsements indicating that the parties were no longer to be found at the houses specified. In one instance, however, it was satisfactorily shown that, though the notice had been returned indorsed "not at" a certain address, the party referred to did actually reside there, upon which

The BARRISTER observed that the Post-Office authorities should remember that they delivered these notices under an Act of Parliament which gave them special fees, and that it seemed that there had been a gross dereliction of duty, which, unless properly explained, he should report to the Postmaster-General.

An official from the Post-Office subsequently apologized to the court for the inconvenience which had been caused, which, he explained, was due in one instance to there being two streets of the same name, and in others to a difference between the description of the houses in the rate books and in the local directories.

The BARRISTER replied that the office had no business to rely only on directories, as it was their duty to take every possible care that such notices reached their destination.

The names objected to were retained on the list.

At Bow-street, on Friday, a solicitor named John Barnard Banks, of 24, Sandringham-road, Dalston, was charged with misappropriating several sums of money belonging to his employers, Messrs. Button, Grove, & Co., solicitors, of 6, Henrietta-street, Covent-garden. Evidence was given to prove that £15 was received by the prisoner on or about November 3, 1879, and £5 on or about March 1 on behalf of clients, and for which he never accounted. It was stated that his defalcations amounted to £128 10s. The case was remanded.

The *Globe* says that the "lodgers" in Marylebone assembled in large numbers at St. Pancras Vestry Hall on Friday week to get their claims registered, but at 9.10 only 238 in the first four wards out of 706 had been disposed of. Mr. Goren, the barrister, then proposed to adjourn until Wednesday evening, which was met with loud cries of "No, no; go on; we've been here two hours." Being asked to take the cases of those present, the barrister refused, amid cries of "Shame! monstrous!" &c., and said he would return on Wednesday evening, and upon this there arose a scene of excitement and uproar unprecedented in the history of registration courts. In addition to loud protests of an insulting and uncomplimentary character there were hisses, groans, cat-calls, and hooting, during which the barrister left the hall, as the excited crowd rushed through the barriers in a threatening manner.

Creditors' Claims.

CREDITORS UNDER ESTATES IN CHANCERY. LAST DAY OF PROOF.

KIMLEY, ALEXANDER, Lewes, Sussex, Brewer. Sept 30. Kimaley v. Kimaley, V.C. Malins.
FILLINGHAM, ROBERT, Whitechapel rd, Saddler. Nov 20. Young v. Fillingham, M.R. Hodgson, Salisbury st, Strand
MILLER, JAMES, Cambridge, College Servant. Sept 23. Day v. Miller, District Registrar, Cambridge.
STROMBORN, EMILY HELEN, Iverson rd, Kilburn. Oct 1. Shrimpton v. Goodman, V.C. Bacon.
CHATTERTON, LUDGATE HILL
TAUSTON, SELBY FRASER, Elm grove, Hammersmith, Gent. Sept 31. Chaplin v. Murray, M.R. Greenhill, Gracechurch st
[Gazette, Aug. 27.]

CREDITORS UNDER 22 & 23 VICT. CAP. 25 LAST DAY OF CLAIM.

ANDERSON, MARY, Great Musgrave, Westmoreland. Oct 18. Preston, Kirby Stephen
ASHWORTH, HENRY, Turton, nr Bolton, Lancaster, Esq. Oct 23. Cunliffe and Co, Manchester
BERGON, SAMUEL BRODRIE, Streatham, Surrey, Minister of the Gospel. Oct 25. Chapple and Co, Carter lane
BRANNA, GEORGE, St. James's rd, Croydon, Millwright. Oct 11. Betty and Sons, Chancery lane
CLAYTON, CHARLES, Gloucester pl, Portman sq, a Major-General in H.M.'s Army. Nov 15. Dean and Taylor, Theobald's rd, Gray's inn
COOPER, JANE, Deane, Rumworth, Lancaster. Sept 30. Grundy and Howell, Bolton.
COURT, JOHN, Ilmington, Warwick, Farmer. Oct 2. Slater and Co, Stratford-upon-Avon
CUTBERTSON, JOSEPH, Birkby, Cumberland, Gent. Oct 11. Tyson and Hobson, Maryport
EYERS, ELLER, Leamington Priors, Warwick. Sept 27. Hughes and Sons, Abergystwyth
DUARNT, DAVID, Oakleigh rd, New Southgate, Beer Retailer. Nov 8. Phipps, Farringdon st
DYBALL, EDWARD, Norwich, Watchmaker. Oct 30. Miller and Co, Norwich
GIBB, HARRY WILLIAM SCOTT, Ryde, Isle of Wight, Esq. Oct 23. Hollams and Co, Mining lane
HUGHES, REV. JOHN, Leamington, Warwick, Clerk. Sept 27. Hughes and Sons, Abergystwyth
LANCASTER, ROBERT GLASSPOOLE, Welbeck st, Cavendish sq, Esq. Nov 30. Davies and Hunter, Sherborne lane
LANE, ANN, Colyton, Devon. Oct 16. Every, Honiton
LAWRELL, DAVID, Pontypool, Monmouth, Mining Engineer. Oct 18. Gibbs and Llewellyn, Newport
MILLS, ROBERT, Salford, Sussex, Yeoman. Dec 1. Day, Godalming
MOON, EDWARD, Aigburth, Lancaster, Esq. Nov 1. Pears and Co, Liverpool
NEAL, GEORGE, Baldock, Hertford, Cattle Doctor. Sept 29. Veasey, Baldock
NELSON, SARAH, Park row, Knightsbridge. Sept 30. Collings, Buckingham st, Strand
PAYTE, JAMES, Lawreth, Essex, Miller. Oct 16. Surridge and Co, Lombard st
RANCE, WILLIAM, Taplow, Buckingham, Butcher. Oct 11. Barrett and Deane, Slough
RAY, ELIZA JANE, Cuynton, Salop. Oct 29. Ray, Brewwood, Stafford
ROBERTS, WILLIAM, Caerbricks, nr Swansea, Colliery Proprietor. Nov 1. Hartland and Co, Swansea
SCOTFIELD, THOMAS, Stalybridge, Chester, Machine Broker. Oct 1. Buckley and Miller, Stalybridge
SMITH, CHARLES, Salford, Lancaster, Tailor. Nov 30. Edmondson, Manchester
SMITH, JAMES, Shute, Devon, Farmer. Oct 16. Every, Honiton
STRELL, JOSHUA, Maryport, Cumberland, Innkeeper. Oct 11. Tyson and Hobson, Maryport
SWANN, ANDREW, Sevenoaks, Kent, Merchant. Nov 1. Clare, St. Swithin's lane
TURNER, WRIGHT, Pendleton, Lancashire, Gent. Oct 28. Brett and Craven, Manchester
[Gazette, Sept. 10.]

BARFOOT, JOHN LUCY, Bath, Gent. Nov 10. Smith, Blandford Forum
BROWN, WILLIAM, Kingston-upon-Hull, Gent. Oct 31. Holden and Co, Kingston-upon-Hull
CHANCEY, WILLIAM HENRY, Hesleyside, Northumberland, Esq. Nov 8. Gibson, Hexham
COOKE, MARY ANN FRANCES, Clifton, Bristol. Oct 11. Gustark, Uxbridge
DARING, JOHN, Boxford, Suffolk, Gent. Nov 1. Pfenell, Hadleigh
DONALDSON, ARTHUR, Kingston-upon-Hull, Gent. Nov 1. Thorney, Kingston-upon-Hull
FERRE, THOMAS, Colne Engaine, Essex, Blacksmith. Nov 12. Besumot and Son, Coggeshall
GATFORD, WILLIAM, Southampton, Retired Licensed Victualler. Nov 20. Harle, Castle st, Holborn
HEMING, MARY EDKINS, Atrow, Warwick. Nov 17. Slater and Co, Stratford-upon-Avon
HERRAGER, EDWARD, Great Gaddesden, Herts, Esq. Nov 1. Few and Co, Surrey st, Strand
JOWETT, THOMAS, Tanshelf, York, Esq. Nov 1. Arundel and Son, Pontefract
MAIR, MARY HANNAH, Coventry, Licensed Victualler. Dec 1. McDowell, Coventry
MCDOWELL, ROBERT JAMES, Tuebrook, Liverpool, Cashier. Oct 11. Quinn and Sons, Liverpool

MCINTYRE, JOHN, St. Mary terrace, Bayswater, Gent. Aug 10. Sanders and Co, Birmingham
MCINTYRE, PETER, Preston, Lancaster, Tailor. Oct 31. Sanders and Co, Birmingham
POINTER, GEORGE, Osmotherly, York, Brewer. Nov 30. Wilcox and Jameson, Stokesley
ROGERS, FRANCIS CHARLES, Wallasey. Oct 12. Woodburn, Liverpool
ROWLAND, RICHARD HALL, Newton Abbot, Devon. Oct 8. Hallett and Co, St. Martin's pl
SCOUR, JULIA, Gatwick, Essex. Oct 8. Ward, Lincoln's inn fields
SHAW, HENRY, Nottingham, Tobaccoconist. Oct 23. Burton and Co, Nottingham
SMITH, JOHN, Nottingham, Merino Spinner. Nov 1. Martin, Nottingham
SMITH, CHARLES, Salford, Lancaster, Tailor. Nov 30. Edmondson, Manchester
TRIFF, REV. ROBERT HENRY, Melkham, Wilts, Clerk. Oct 20. Carlyon and Stephens, Saint Ansell
WALKER, JOHN, Old Basford, Nottingham, Retired Potato Dealer. Oct 23. Burton and Co, Nottingham
WALKER, WILLIAM, Bulwell, Nottingham, Gent. Nov 1. Martin, Nottingham
[Gazette, Sept. 14.]

BAGGE, SIR WILLIAM, Stradsett, Norfolk, Bart. Dec 1. Archer and Archer, King's Lynn
BAGGE, GEORGE, Newport, Salop, Innkeeper. Nov 22. Fisher and Hodges, Newport
BROWN, EDWIN, Derby, Miller. Oct 7. Brown, Derby
BUNTING, JAMES, Chesterfield, Derby, Commission Agent. Nov 13. Stanton, Chesterfield
BUSH, JOHN NAISH, Bliton, Gloucester. Nov 13. Stone and Co, Bath
CHURCHILL, JOHN HENRY BLENCOWE, Inner Temple, Barrister-at-Law. Oct 30. Burne and Hunt, Lincoln's inn fields
COOPER, HENRY, Ilminster, Somerset, Gent. Nov 17. Baker, Ilminster
DAVIS, JOHN, Childwall, Lancaster, Farmer. Oct 25. Foster and Son, Liverpool
DUDLEY, FLORA GARDNER, Harrogate, York. Nov 1. Bateson and Hutchinson, Harrogate
EVANS, ELIZABETH, Abergwilly Village, Carmarthen. Oct 23. Barker and Morris, Carmarthen
EVATT, CAROLINE HAWKING, East Hill, Wandsworth. Nov 13. Ratcliff and Son, New Broad st
JONES, JANE, Atkinson rd, Clapham Park. Nov 1. Barrand, Arthur st West
LACE, EMMA MARTHA, Brick lane, Bethnal green. Oct 25. Clinton and Haines, Serjeant's inn, Fleet st
LALAMI, DEIS, Manchester. Sept 28. Murray, Manchester
LEES, WILLIAM, Wormhill Moor, Derby, Farmer. Oct 13. Shaw and Isaacson, New inn, Strand
MCINTYRE, MARY, Olton, Warwick. Oct 31. Sanders and Co, Birmingham
NASH, CHARLES, Lee, Kent, Furniture Dealer. Oct 27. Hawkins, Leadenhall st
NORTHGATE, DANIEL THOMAS, Newcastle-upon-Tyne, Surgeon, Dentist. Nov 1. Radford and Son, Newcastle-upon-Tyne
OLDLAND, JOSEPH JAMES, Bath, out of business. Oct 15. Payne and Fuller, Bath
PARKINSON, GILES, Blackburn, Lancaster, Waste Dealer. Oct 30. Wheeler and Fletcher, Blackburn
REEVE, LORINA, Lowestoft, Suffolk. Oct 25. Reeve, Lowestoft
RICHARDSON, JAMES, Strand-on-the-Green, Victualler. Nov 1. Woodbridge and Sons, Clifford's inn
SMITH, JOHN, Birkenhead, Chester, Master Stevedore. Sept 30. Francis, Birkenhead
SPOWER, JANE GRANGER, Belsize rd, St. John's Wood. Dec 14. Cayley, Jermyn st
TAYLOR, JOSEPH, Standon, Herts, Hay and Straw Dealer. Oct 15. Cobham and Hunt, Ware
TURNER, JAMES, Ulverston, Lancashire. Oct 30. Whitaker, Lancaster pl, Strand
[Gazette, Sept. 17.]

THE COST OF LITIGATION.

"An Old Pleader," writing to the *Times*, makes the following suggestions:—

The serious increase in the expense of litigation is mainly due to the tedious warfare at chambers with which it is now possible to anticipate the battle in court. A great part of this wasteful skirmishing might be avoided if there were a careful judicial supervision of the process in each cause. To this end causes should be assigned to particular judges, who should deal with each case from the issue of the writ.

Pleadings in their present form might, as a general rule, be dispensed with; a short plaint, on the one hand, and particulars of grounds of defence, on the other, would be sufficient. Our present pleadings generally describe the plaintiff's case inaccurately, and rarely afford the slightest clue to the defendant's real answer. It has been said, with some humour, that if perfect pleadings be required, the proper time to prepare them would be after the cause had been tried and the law ascertained by argument in the Court of Appeal. There is no reason why the simpler procedure of the county courts should not be generally adopted in the superior courts.

The judge should have ample power to direct in what manner the cause should be tried, whether with or without a jury or before an arbitrator. Either party should be at liberty to apply to have the cause disposed of in a summary way, and as a "short cause," where the point in dispute admitted of an easy solution. The business at chambers should be dealt with exclusively by the masters. Appeals in matters of procedure should be to the judge to whose list the cause was assigned, who should hear the appeal in open court. Legal notices should be sent through the post. The safe delivery of legal documents might easily be insured through a special department of the Post-office. The expense of personal service is a serious portion of the bill of costs.

For the trial of civil causes in the common law divisions England and Wales might be divided into four districts and the cases tried in central towns in each district. Full time should be allowed for the business of each town.

I believe we now possess a procedure well adapted for ascertaining the facts of any case, however complicated. But the machinery is often much too unwieldy. I believe the profession would rejoice to see the judges armed with powers to apply to each case the methods of investigation best calculated to insure a cheap and speedy administration of the law. The proceedings which are endurable or useful where the amount in dispute is considerable and the facts obscure become an intolerable burden where the amount in dispute is small and the facts may be readily sifted.

I believe the best mode of dealing with the growing cost of litigation will be by enlarging the sphere of judicial supervision and control in the conduct of business in the common law divisions.

A NOVEL LAW REPORT.

The New Jersey Law Journal reports the case of *Kuhn v. Jewett* as follows:—

The shades of night were falling fast,
As o'er the Erie railroad passed
A locomotive, laden down
With crude petroleum near the town
Of Paterson.

A piercing shriek, a blinding flash,
And then an instantaneous crash—
Two trains collided—down the banks
The oil was emptied from the tanks
Immediately.

The oil igniting, sparkling, flowed
Down the embankment, across the road,
Into a babbling brook that pours
Its waters on the fertile shores
Of the Passaic.

The barn of the complainant stood
Beside this unheroic flood,
And thus the floating flames of fire
Consumed it and produced a dire
Calamity.

His Honour, the Vice-Chancellor, says
That if a devastating blaze
Is negligently started, still
The defendant is responsible

In damages,

If no obstructions intervene,
As a new agency, between
The cause and its effect as here;
This rule is singularly clear
And logical.

Legal News.

At the Liverpool Police-court, on Tuesday, John Fortune was summoned for keeping a refreshment house without a licence. Mr. Eccles appeared on behalf of Mr. Bremner, who was instructed to prosecute by the Excise, and Mr. William Lowe for the defendant. An excise officer stated that he visited the defendant's premises at a quarter to eleven o'clock on Sunday night and was supplied with a cigar and

a bottle of lemonade, which he drank there. There were two persons in the place, who partook of ginger beer and lemonade. Mr. Lowe said his client was a fruiterer, but he also sold ginger beer and lemonade. He contended that the defendant did not require a refreshment licence, as his house did not come within the 6th and 7th sections of the Act, not being "a house of public refreshment, resort, and entertainment," and no "animal food or other victuals" being sold there. His client did not sell animal food or victuals, and cigars did not come under that head, neither would apples or grapes come under the head of victuals, and he asked their worship to say that the house was not a refreshment house within the meaning of the Act, as there was no accommodation at it and no entertainment, the ginger beer being merely handed over the counter. He submitted that it must be all three to constitute a refreshment house "a place of refreshment, resort, and entertainment." The section did not say "or entertainment," but "and entertainment." He called the defendant, who said there was no seat and no table in the shop; the customers had the ginger beer handed to them, and left as soon as they had finished it. Mr. Eccles submitted that it was sufficient for the defendant to keep open for public refreshment and resort to constitute the premises a refreshment house. The magistrates dismissed the case.

At the Portobello Police-court, on Monday week, Bailie Buchanan gave his decision in a case affecting persons holding grocers' certificates. A few days ago, Mr. Andrew Stewart, grocer, High-street, Portobello, was charged with selling drink to be consumed on the premises. It was stated for the defence that the liquor which the police saw in the hands of a customer had been given him for the purpose of "sampling." The Procurator-Fiscal (Mr. White) held this to be a contravention of the statute, and sought for a conviction. The case was adjourned till Monday, when Bailie Buchanan read the following judgment, after he had satisfied himself that an entry regarding the purchase of whisky by the person engaged in "sampling" had been made in the order-book:—"I find in this case that the small quantity of whisky was supplied by the accused *bond fide* for the purpose of being then and there tasted, with a view to purchase; that Mr. Morrison, in tasting, swallowed a part of the whisky, and that thereupon he gave an order for a quantity of it. The question of law is whether that was a contravention of the accused's certificate, which prohibits him from 'trafficking in or giving excisable liquors to be drunk or consumed on the premises.' The question is a very important and delicate one, and after the best consideration that I can give it I am of opinion that it was not. The giving of spirits to be consumed on the premises is the part of the libel on which the prosecutor relies as entitling him to a conviction. It appears to me, however, that he is putting too critical and literal an interpretation upon the words of the statute. If such a view were to be taken it would be illegal for a licensed grocer to allow whisky to be flung into the fire, as it would thereby be consumed. The general scope of the Licensing Acts must be considered in construing the prohibition, and having this in view, I think it is simply directed against treating—that is, giving gratuitously for the purposes of drinking, as one would give to a friend in his dwelling-house."

BIRTHS, MARRIAGES, AND DEATHS.

BIRTHS.

BAKER.—Sept. 20, the wife of Sir Sherston Baker, Bart., of Lincoln's-inn, barrister-at-law, of a daughter.

HOWARD.—Sept. 19, at Beckenham Lodge, Kent, the wife of Henry Blunt Howard, barrister-at-law, of a son.

LAMB.—Sept. 15, at 2, Park-villas, Lower Norwood, the wife of C. E. T. Lamb, of 33, Old Jewry, E.C., solicitor, of a son.

LINGEN.—July 25, at Sydney, N.S.W., the wife of John Taylor Lingen, barrister-at-law, of a daughter.

LOMER.—Sept. 18, at 4, East Park-terrace, Southampton, the wife of Walter R. Lomer, solicitor, of a son.

SAMPSON.—Sept. 12, at 8, Linden-gardens, Bayswater, the wife of F. Winn Sampson, barrister-at-law, prematurely, of a son, who only survived his birth two days.

MARRIAGES.

BAKER—Cusack.—Sept. 15, at South Wrexall, Wilts, George Edward Baker, of the Inner Temple, barrister-at-law, to Jessie Ella Sophia, daughter of the late James William Cusack, of Knockbane, Galway.

LEITCHER-TUNSTALL.—Sept. 16, at St. Andrew's, Holborn, Mark Jameson Leitcher, solicitor, of Belvedere, Kent, to Elizabeth, daughter of William Tunstill, of Reedyford, Barley.

REHMAN-CHARLTON.—Sept. 16, at Shrewsbury, Joseph Hawthorth Redman, of Cophorne House, Shrewsbury, barrister-at-law, to Eliza Charlton, widow of Thomas Charlton, of Shelton Cottage, Shrewsbury.

DEATH.

DEWEY.—Sept. 15, at Ashby-de-la-Zouch, William Pettit Dewey, solicitor, aged 57.

LONDON GAZETTES.

Bankrupts.

FRIDAY, Sept. 17, 1880.

Under the Bankruptcy Act, 1869.

Creditors must forward their proofs of debts to the Registrar. To Surrender in London.

Allen, Thomas James, West Ferry rd, Millwall, Potter. Pet Sept 14. Murray. Sept 28 at 11.

Carter, Robert, Queen Victoria st, Surveyor. Pet Sept 14. Murray. Sept 28 at 11.

Schaller, Wilhelm, Poland st, Oxford st, Jeweller. Pet Sept 14. Murray. Sept 29 at 11.30.

Bawles, Clara, Coldharbour lane, Brixton, Boot Manufacturer. Pet Sept 14. Murray. Sept 29 at 11.

To Surrender in the Country.

Davies, William, Talgarth, Brecknock, Farmer. Pet Sept 14. Carless, jun. Hereford, Oct 4 at 12.30.

Gairford, George, Egremont, Cumberland, Ironmonger. Pet Sept 14. Wre. Whitehaven, Sept 28 at 11.

Garlick, William, Haddfield, Derby, Cotton Operative. Pet Sept 15. Hall. Ashton-under-Lyne, Oct 6 at 11.

Hare, James W., St James, Bristol, Licensed Victualler. Pet Sept 15. Harley. Bristol, Oct 1 at 2.

Morris, Joseph, Lea, Hereford, Corn Dealer. Pet Sept 15. Carless, jun. Hereford, Oct 9 at 12.30.

Proud, Jonathan, Walton-on-Thames, Farmer. Pet Sept 16. Abbott. Kingston, Sept 30 at 3.

Wainwright, William, Chester, Butcher. Pet Sept 15. Williamson. Chester, Oct 1 at 12.

Walker, James, Sheffield, Engineers' Tool Maker. Pet Sept 14. Wake. Sheffield, Oct 8 at 1.

TUESDAY, Sept. 21, 1880.

Under the Bankruptcy Act, 1869.

Creditors must forward their proofs of debts to the Registrar. To Surrender in London.

McArthur, William, Leadenhall st, Metal Dealer. Pet Sept 17. Murray. Oct 7 at 12.

Oates, Robert John, Oriental st, Poplar, Trinity House Pilot. Pet Sept 17. Murray. Oct 7 at 11.

Smith, Thomas, Mark lane, Malt Merchant. Pet Sept 17. Murray. Oct 8 at 11.

To Surrender in the Country.

Coleman, John, Norwich, Builder. Pet Sept 18. Taylor. Norwich, Oct 1 at 12.

Richards, William, Wigan, Lancaster, Builder. Pet Sept 16. Woodcock. Wigan, Oct 2 at 10.30.

Ryder, John, Pulsey, York, Wool Merchant. Pet Sept 17. Lee. Bradford, Oct 5 at 12.

BANKRUPTCIES ANNULLED.

FRIDAY, Sept. 17, 1880.

Nell, Philip, South bank, Regent's pk, Gent. Sept 13.

TUESDAY, Sept. 21, 1880.

Hewitt, James, Postbrook Titchfield, Hants, Farmer. Sept 17.

Liquidations by Arrangement.

FIRST MEETINGS OF CREDITORS.

FRIDAY, Sept. 17, 1880.

Abrams, Charles Henry, South parade, Chelsea, out of business. Oct 4 at 3 at offices of Knight, Bow st, Covent Garden.

Allday, Henry, sen, Shirley, Warwick, Cattle Dealer. Sept 27 at 2 at offices of Coleman and Co, Colmore row, Birmingham.

Ascroft, William, Pemberton, Lancashire, Provision Dealer. Sept 29 at 10.30 at offices of Wilson, King st, Wigan.

Ashdown, John, Wilson st, Limehouse, Grocer. Oct 8 at 3 at 40, Southampton buildings, Holborn. Cooper, Chancery lane.

Bader, Samuel, Bishop's road, Victoria Park, Baker. Oct 1 at 3 at offices of Wild and Co, Ironmonger lane.

Barlow, William, Manchester, Nail Maker. Sept 30 at 3 at offices of Garthwaite, Brazenose st, Manchester.

Besley, Samuel, Exeter, Coal Merchant. Sept 30 at 11 at offices of Jerman, Bampfylde st, Exeter.

Bowers, William, Gosport, Hants, Hotel Keeper. Oct 2 at 11 at the Star Hotel, High st, Gosport, Blake and Reed, Portsea.

Bullock, George Robert, Bedford, Baker. Oct 5 at 2 at the Clarence Hotel, 56, John's st, Bedford. Nicholson, Bedford.

Bush, William, Newport, Monmouth, Schoolmaster. Sept 30 at 10.30 at offices of Cox, St. Mary st, Cardiff.

Cassidy, James, Hulme, Manchester, Tea Dealer. Sept 28 at 3 at the Mitre Hotel, Cathedral gates, Manchester. Burton, Manchester.

Chapman, Thomas Pettifer, Buckingham Palace rd, Stationer. Sept 30 at 3 at the Guildhall Tavern, Gresham st. Funston, Finsbury pavement.

Clayton, Edward, Shackwell lane, Dalston, Glass Factor. Oct 4 at 11 at offices of Carter and Bell, Eastcheap.

Coblet, Ralph, Aston New Town, near Birmingham, out of business. Sept 30 at 3 at offices of Jaques, Temple row, Birmingham.

Coomber, Alfred, Portobello rd, Notting hill, Green grocer. Oct 4 at 3 at offices of Wolman, Westbourne grove, Baywater.

Cousens, John William, Landport, Hants, Ironmonger. Sept 30 at 2.30 at offices of Edmunds and Clark, Chaspeade. King, Portsmouth.

Derry, Edward, Tipton, Stafford, Engineer. Oct 5 at 11 at offices of Travis, Church lane, Tipton.

Dhona, William, Haggerston rd, Haggerston, Baker. Sept 27 at 11 at the Lord Napier Tavern, London fields, Hackney. Harris, Paneras lane.

Dibble, Edwin, Birmingham, Baker. Sept 30 at 3 at offices of Cheston, Moor st, Birmingham.

Graham, Charles Thomas, Crewe, Chester, Grocer. Oct 2 at 3 at offices of Bygott, Market st, Crewe.

Grant, James, and Thomas John Luxmore Evans, Southsea, Hants, Journalists. Oct 4 at 11 at Totterdell's Hotel, St George's sq, Portsea. Blake and Reed, Portsea.

Grantham, Peter, Metheringham, Lincoln, Farmer. Oct 3 at 11 at offices of Burton and Scorer, Lincoln.

Grubb, Charles Frederick, Birmingham, Cabinet Manufacturer. Sept 29 at 11 at offices of Taylor, Colmore row, Birmingham.

Handley, Charles, Maldon, Essex, Green grocer. Oct 5 at 12 at offices of Digby and Evans, Maldon.

Harper, John, Dudley, Fruiturer. Sept 29 at 11.30 at offices of Bourne and Dry, Birmingham rd, Dudley.

Hatchard, Alfred, Stretton villas, South Hackney, Commission Agent. Oct 1 at 2.30 at offices of Harrison, Fowke's buildings.

Hazell, Joseph, Carter lane, Boot Maker. Sept 28 at 2 at offices of Christians, Walbrook.

Heard, William Henry, Tavistock, Devon, Veterinary Surgeon. Sept 28 at 11 at offices of Square, George st, Plymouth.

Hesketh, John, Barnsley, York, Grocer. Oct 6 at 4 at offices of Riden, Chronicle chambers, Barnsley.

Heywood, James, Dudley, Boot Manufacturer. Sept 27 at 3 at offices of Burn and Co, Wolverhampton st, Dudley.

Hill, James Henry, Great James st, Lisson grove, Gas Fitter. Sept 24 at 3 at 262, High Holborn. Staniland, Highgate.

Hill, Thomas, Birmingham, Cabinet Bar Fitter. Sept 30 at 3 at offices of Southall and Co, Waterloo st, Birmingham.

Holt, Thomas, Goole, York, Grocer. Oct 4 at 3 at offices of Hind and Everatt, Goole.

Hopton, James, Rothwell, York, Grocer. Oct 1 at 4 at the Creditors' Association, Park row, Leeds.

Johnson, Reuben, Middlewich, Chester, Publican. Sept 30 at 11 at the Albert chambers, Church Side, Crewe. Poinson, Crewe.

Kerston, Frederick, College st, Islington, Leather Bag Manufacturer. Oct 1 at 11 at the Guildhall Tavern, Gresham st, Cotton.

Knowles, Richard, Great Crosby, Lancaster, Chemist. Oct 7 at 3 at offices of Miller and Co, Percy buildings, Eberle st, Dale st, Liverpool.

Lander, Edward, Shifnal, Salop, Mercer. Sept 30 at 12 at the Great Western Hotel, Birmingham. Phillips and Co, Shifnal.

Latham, George, Stourbridge, Worcester, Baker. Sept 28 at 11 at the Talbot Hotel, Stourbridge. Collins, Stourbridge.

Lavick, George Frederick, Marylebone, Coach Painter. Sept 27 at 4 at offices of Maraball, Chancery lane.

Lewis, William, Treherbert, Glamorgan, Tailor. Sept 29 at 11 at offices of Lewis, Glebeland st, Merthyr Tydfil.

Macey, William, jun, St George's st, St George's-in-the-East, Baker. Sept 24 at 4 at 262, High Holborn. Staniland, North road, Highgate.

Manfield, Samuel, Jamaica st, Commercial rd East, Baker. Oct 6 at 3 at 40, Southampton buildings, Holborn. Cooper, Chancery lane.

Martin, Thomas Williams, Tavistock, Devon, Tobacconist. Sept 30 at 11 at offices of Luxton and Johnstone, Bedford place, Tavistock.

Merry, William, Wolverhampton, Coal Dealer. Oct 1 at 11 at offices of Willcock, Queen st, Wolverhampton.

Mason, Thomas, Melksham, Wilts, Mealman. Sept 30 at 12 at offices of Rodway, Fore st, Trowbridge.

Matthews, Charles, Lewisham, Kent, Builder. Oct 5 at 2 at offices of Foreman and Co, Gresham st. Hughes, Gracechurch st.

Miles, Edward, Birkenhead, Chester, Printer. Sept 30 at 11 at offices of Adleshaw and Warburton, Norfolk st, Manchester.

Mitchell, Nathaniel, Gracechurch st, Metal Broker. Oct 5 at 3 at offices of Saffrey and Huntley, Tooley st.

Moore, David George, Edgware rd, Boot and Shoe Manufacturer. Sept 30 at 11 at Inns of Court Hotel, Holborn. Lynch, Gray's inn place.

Mortimer, Matthew, Scarborough, York, Stone Cutter. Sept 29 at 3 at offices of Richardson, Queen st, Scarborough.

Neech, Samuel, jun, Beccles, Suffolk, Carter. Sept 29 at 12 at offices of Dowsett, Hall Quay chambers, Great Yarmouth.

Nicholls, William John, Oxford, Baker. Oct 1 at 11 at offices of Bruce, High st, Oxford.

Nicholson, Ralph, Holloway rd, Leather Case Maker. Oct 7 at 3 at 40, Southampton buildings, Holborn. Cooper, Chancery lane.

Nield, John, Charlesworth, Derby, out of business. Sept 27 at 3 at offices of Smith, Hyde lane, Hyde.

Omer, John, Sandwich, Kent, Brewer. Oct 12 at 12 at Bell Hotel, Sandwich. Edwards, Deal.

Oram, William Hodgkinson, Nottingham, and Skegness, Lincoln, Poultry Dealer. Oct 1 at 3 at offices of Lees, Severn chambers, Middle pavement, Nottingham.

Owen, Joseph, West Derby, Lancaster, Wheelwright. Oct 5 at 3 at offices of Dawson and Kemble, Sweeting st, Liverpool.

Pannell, Walter, King's rd, Chelsea, Cheesemonger. Oct 4 at 2 at offices of Betts and Son, 44, Eastcheap. Carter and Bell, Eastcheap.

Peace, William, and Benjamin Peace, Shepley, York, Fancy Woollen Manufacturers. Sept 30 at 11 at offices of Armitage, Lord st, Huddersfield.

Pennistoun, William, Folly, Belgrave, near Leicester, Beerseller. Sept 28 at 11 at offices of Wright, Gallows tree gate, Leicester.

Player, George, Silverton, Devon, Farmer. Sept 29 at 12 at Castle Hotel, Castle st, Exeter. Payne, Tiverton.

Robinson, William, Leeds, Grocer. Sept 30 at 11 at offices of Tennant and Barrett, Albion st, Leeds.

Ross, Anthony, Kirkdale, near Liverpool, Joiner. Sept 29 at 2 at offices of Dixon and Evers, Lord st, Liverpool.

Rothery, Joseph, Halifax, Watchmaker. Sept 20 at 11 at offices of Walshaw, Crown st chmbrs, Halifax

Rowell, Thomas John, Woodstone, Huntingdon, Farmer. Sept 29 at 11 at offices of Smedley and Mellows, Westgate, Peterborough

Sanders, John, Marlborough rd, Dalton, Baker. Sept 28 at 3 at offices of Harrison, Pancras lane, Queen st

Shelden, Jabez, Holbeck, Leeds, Grocer. Sept 29 at 3 at offices of Weston, Park row, Leeds

Sing, John, Birmingham, Button Manufacturer. Sept 29 at 3 at offices of Fallows, Cherry st, Birmingham

Slinn, George, Bishops Stortford, Hertford, Corn Merchant. Sept 30 at 11 at offices of Baker and Thorneycroft, Bishops Stortford

Smith, Samuel, Willbridge, Gloucester, Nurseryman. Sept 30 at 2 at offices of Sibby, Exchange West, Bristol

Snook, George, Malda vale, Kilburn, Oilman. Sept 25 at 3 at offices of Barnitt, London wall. Lomax, Haymarket

Spencer, William, Kirkstall, nr Leeds, Joiner. Oct 4 at 11 at offices of Hoppe and Beiford, Bank st, Leeds

Stapleton, John, Hilperton, Wilts, Schoolmaster. Sept 30 at 12 at Victoria Hall, Hill st, Trowbridge. Beaven, Bradford-on-Avon

Stavert, Francis, and Thomas Hyslop, Manchester, Silk Merchants. Sept 29 at 3 at City Hotel, Long Millgate, Manchester. Walley, Manchester

Stead, John, Bradford, Ivory Comb Maker. Sept 29 at 11 at offices of Senior, New Irigate, Bradford

Stephens, Thomas, Birmingham, Licensed Victualler. Sept 28 at 11 at offices of Peal, Colmore row, Birmingham

Taylor, Alfred, Abercarn, Monmouth, Tailor. Sept 30 at 12 at offices of Parsons, High st, Bristol. David and Bailhache, Newport

Taylor, Margaret, St Helen's, Lancashire, Tailor. Oct 1 at 11 at offices of Addleshaw and Warburton, Norfolk st, Manchester

Tomlinson, John, Gedling, Nottingham, Farmer. Oct 1 at 3 at offices of Belk, Middle pavement, Nottingham

Townsend, Francis, Sheffield, Beerhouse keeper. Sept 30 at 3 at offices of Binney and Co, Queen st chmbrs, Sheffield

Turner, James Simpson, Ambleside, Westmoreland, Wine Merchant. Sept 30 at 11 at White Lion Hotel, Ambleside. Dobson, Kendal

Turner, James Thomas, Central Market, Smithfield, Provision Dealer. Oct 14 at 2 at the Guildhall Coffee-house, Gresham st. Gush and Phillips

Vizer, Arthur Henry, Sparkbrook, near Birmingham, out of business. Sept 29 at 3 at offices of Jaques, Temple row, Birmingham

Wagner, Jacob, Crispin st, Spitalfields, Cigar Manufacturer. Sept 27 at 1.30 at offices of Dobson, Minorities

Walsmsley, Thomas, Blackpool, Lancaster, Wine Merchant. Sept 27 at 3 at offices of Blackhurst, Lytham st, Blackpool

Walters, George, Cosely, Stafford, Greengrocer. Oct 2 at 11 at the Globe Hotel, Mount Pleasant, Bilston. Bowen, Bilston

Walton, William, Earlstown, Lancaster, Ironmoulder. Oct 7 at 3 at 41, Leigh st, Earlstown, Riley and Cook

Warburton, Samuel, Stockport, Chester, Retail Hatter. Sept 30 at 3 at offices of Coppock and Co, Vernon st, Stockport

Washington, Robert, Garston, Lancaster, Grocer. Oct 4 at 2 at offices of Pierce, Castle st, Liverpool

Watson, Alfred, Leeds, Solicitor. Sept 28 at 11 at the Law Institute, Albion pl, Leeds. Banks

White, James, Chorlton-upon-Medlock, Manchester, Dairyman. Sept 30 at 3 at offices of Elloft, King st, Manchester

White, Robert, Lewisham, Kent, Oilman. Oct 4 at 2 at 145, Cheap-side. Pook and Son, Walbrook

Wilson, James, Crowle, Lincoln, Miller. Oct 4 at 12 at the Red Lion Hotel, Epworth. Parkin and Co

Wilson, John, Stanhope, Durham, Painter. Oct 6 at 11 at offices of Wooler, Priestgate, Darlington

Wood, James, Newington Butts, Builder. Oct 8 at 3 at offices of Lockyer, Gresham bldgs, Basinghall st

Woodhams, Richard Elkins, Gipsey Hill, Surrey, Riding Master. Oct 5 at 12 at offices of Preston, Mark lane

Worall, James, Wordsley, Stafford, Glassmaker. Sept 28 at 11 at offices of Bonfray and Holberton, High st, Brierley Hill

Young, Frederick, and John Tomlinson, Nottingham, Lace Manufacturers. Sept 29 at 12 at offices of Fraser, Midland chambers, Wheeler gate, Nottingham

THURSDAY, Sept. 21, 1890.

Agar, William, Guisborough, York, Licensed Victualler. Oct 7 at 2 at offices of Teale, Albert rd, Middlesborough

Agnew, Arthur George Wedderburn, Welshpool, Montgomery, Watch Maker. Sept 29 at 3 at the Great Western Hotel, Birmingham, in lieu of the place originally named

Archer, Richard, Middlesborough, York, Licensed Victualler. Oct 7 at 12 at offices of Teale, Albert rd, Middlesborough

Baker, Edward, Birmingham, Fruiterer. Oct 4 at 3 at offices of East, Temple st, Birmingham

Attenborough, Thomas Smith, Headley, nr Epsom. Oct 5 at 2 at offices of Fisher, East st, Strand

Beckhouse, James, Beverley, York, Grocer. Oct 7 at 12 at offices of Silvester and Son, Ladygate, Beverley

Armstrong, John, Langwathby, Cumberland, Innkeeper. Oct 4 at 3 at offices of Cant, Southend rd, Penrith

Bevins, William, Thomas Ward Bevins, and Albert Bevins, Wadsley Bridge, York, Tilters. Oct 1 at 2 at offices of Machen, Bank st, Sheffield

Bignall, George, Hackney rd, Hoxier. Oct 7 at 2 at offices of Jones, Finsbury pavement. Lane, Gresham st

Bilson, Thomas, Melton Mowbray, Leicester, Lodging house keeper. Oct 6 at 11 at offices of Barker, jun, Sherard st, Melton Mowbray

Bewert, George Frederick, Bournemouth rd, Peckham, Grocer. Sept 30 at 3 at offices of Butterfield, Ironmonger lane

Bowen, Jonathan, Newport, Monmouth, Machine Fitter. Sept 30 at 2 at the Swan Hotel, Birmingham. David and Bailhache, Newport

Brinmand, John, Richard Graham, and Thomas Edmundson, Padham, Lancaster, Cotton Wipers. Sept 30 at 3 at offices of Addleshaw and Warburton, Norfolk st, Manchester

Brown, John, and Robert Busby Avery, Manchester, Merchants. Oct 11 at 2 at offices of Ballock and Worthington, Kennedy st, Manchester

Buckingham, Henry Brinham, Cardiff, Ship Broker. Oct 13 at 13 at offices of Tribe and Co, Crookherbtown, Cardiff. Ingledew and Co, Cardiff

Bulmer, William, Bradford, York, Coach Builder. Oct 9 at 11 at offices of Leat and Betts, Bond st, Bradford

Burwood, David, Braintree, Essex, Grocer. Oct 5 at 11 at offices of Smoothy, Braintree

Chetwynd, Thomas, Grendon, Warwick, Grocer. Oct 15 at 11 at offices of Tippetts, Long st, Atherstone

Chipp, Vincent, High st, Highgate, Printer. Oct 8 at 3.45 at the Four Swans Hotel, Bishopsgate at Within. Chandler, Bishopsgate at Within

Christmas, George Joseph, Grove lane, Camberwell, Florist. Sept 29 at the Gordon Arms, High Holborn. Staniland, North rd, Highgate

Clark, Joseph, Weymouth, Dorset, Builder. Oct 18 at 10.30 at offices of Howard, East st, Melcombe Regis

Cleminson, Joshua, Rochdale, Lancaster, Grocer. Oct 7 at 3 at the Reed Hotel, Reed Hill, Rochdale. Roper and Briggs, Rochdale

Colbeck, David, Batley, York, Beerhouse Keeper. Oct 8 at 3 at offices of Wooler, Exchange bldgs, Batley

Constance, Samuel, Abinghall, Gloucester, Boot and Shoe Manufacturer. Sept 25 at 3 at New Inn Hotel, Northgate, Gloucester. Whalley, Mitheldan

Coppin, William Arthur, Rochester, Traveller in Preserved Meats. Oct 11 at 11 at offices of Norman, High st, Chatham

Crawford, Richard, Gloucester, Draper. Sept 27 at 2.30 at offices of Taynton and Sons, Clarence st, Gloucester

De Jersey, Arthur Charles, Southsea, Hants, Tailor. Oct 5 at 12 at offices of Edmonds and Clark, Cheapside. Whitehall, Portsea

Dickens, Edward, Gt Cambridge st, Hackney rd, Boot Manufacturer. Sept 30 at 10 at offices of Bigginden, Well st, Hackney

Dolman, James, Chenies, Buckingham, Schoolmaster. Oct 9 at 11 at offices of Andrews and Mason, Ironmonger lane, Cheapside

Bartrum, Old Jewry chambers

Dray, Frank Kingsgate, nr Margate, Licensed Victualler. Oct 8 at 2 at offices of Willoughby and Winch, Lancaster pl, Strand

Dyson, John, Huddersfield, Corn Dealer. Oct 6 at 2 at offices of Ainley and Hall, New st, Huddersfield

Edwards, Thomas, Newark-upon-Trent, Nottingham, Tailor. Oct 7 at 3 at offices of Pratt and Hodgkingsons, Newark-upon-Trent

Emerson, John, Hartlepool, Durham, Miller. Oct 7 at 3 at offices of Bell and Son, Church st, West Hartlepool

Entwistle, Joseph, Bolton, Lancaster, out of business. Oct 5 at 2 at offices of Balshaw, Bowker's row, Bolton

Evans, Edward Arthur, Bacup, Lancaster, Civil Engineer. Oct 18 at 3 at offices of Bradbury, Uppermill, Saddleworth

Foster, Henry, jun, Warwick, Baker. Oct 5 at 3 at offices of Johnson and Co, Waterloo st, Birmingham

Golby, William, Wolverhampton, Upholsterer. Oct 5 at 11 at offices of Willcock, Queen st, Wolverhampton

Gormally, James Oram, Railton rd, Herne hill, Draper. Oct 8 at 3 at offices of Steer and Knight, Basinghall st. Mason, North buildings, Finsbury

Grunmitt, William Clarke, Castle Heddingham, Essex, Chemist. Oct 6 at 2 at the George Hotel, Halstead. Harris and Morton, Halstead

Handley, Mary Ann, Nottingham, Fruiterer. Oct 15 at 3 at offices of Lees, Severn chambers, Middle pavement, Nottingham

Hannay, Elliot William Davidson, Ewhurst, Farmer. Oct 2 at 7 at the County and Borough Halls, Guildford. Smallpiece and Sons, Guildford

Harley, James, and William Harley, Liverpool, Provision Merchants. Oct 4 at 3 at offices of Roose and Price, John st, Liverpool. Addleshaw and Warburton, Manchester

Harrison, James Fortescue, Southend-on-Sea, Essex, Esquire. Oct 4 at 11 at the Cannon st Hotel, London. Rawlins, Queen Victoria st

Hiley George Lewis, Abertillery, Monmouth, Grocer. Oct 11 at 1 at offices of Tribe and Co, High st, Newport. Morgan, Pontypool

Hill, Thomas, Ramsbottom, Lancaster, Cotton Waste Spinner. Oct 4 at 3 at the Derby Hotel, Bury. Tattersall, Blackburn

Honychurch, John, Great Torrington, Devon, Innkeeper. Oct 6 at 12 at offices of Smale, Bath House, Bideford

Hoper, Richard, Mount Sion, Tunbridge Wells, Beershop Keeper. Oct 5 at 12 at offices of Andrew and Chenele, Calverley mount, Tunbridge Wells

House, Edgar, West Quay rd, Poole. Oct 2 at 11 at offices of Aldridge and Aldridge, King st, Poole

Howarth, Frances, Margaret Howarth, Ann Howarth, and Emma Howarth, Blackpool, Lodging house Keepers. Oct 4 at 3 at offices of the White Lion Hotel, Halifax. Pratt, Blackpool

Jelley, Henry, Great Grimsby, General Dealer. Oct 4 at 11 at St. Mary's chambers, West st, Mary's gate, Great Grimsby. Grange and Wintingham

Jones, Benjamin Edward, Goswell rd, Clerkenwell, Grocer. Oct 7 at 2 at offices of Steer and Knight, Basinghall st. Mason, North buildings, Finsbury

Kitsao, John, Eiland, Halifax, Sanitary Tube Manufacturer. Oct 2 at 2 at offices of Taylor, Crossley st, Halifax. Berry and Robinson, Bradford

Langridge, Frank, Ramsgate, Kent, Fishmonger. Oct 14 at 3 at 1, Harbour st, Ramsgate. Sparkes

Lawson, Thomas Edwin, Pateley Bridge, York, Railway Clerk. Oct 4 at 9.30 at the Crown Hotel, Pateley Bridge. Bateson and Hutchinson, Ripon

Layland, Arthur, Claines, Worcester, Tailor. Oct 1 at 11 at offices of Tree and Son, High st, Worcester

Lewin, Stephen, jun, Poole, Builders' Merchant. Oct 5 at 11 at offices of Wheatley and Taylor, St Martin's Cannon st. Travers

Lewis, Henry Evan Lewis, and Edmund Lewis, Brynmawr, Brecon, Grocers. Sept 29 at the Queen's Hotel, Bridge st, Newport, in lieu of the place originally named

Little, Henry Marsh, Mitheldan, Gloucester, Grocer. Oct 6 at 11 at offices of Innell, High st, Ross. Williams, Ross

Mason, John, Northampton, Fishmonger. Oct 6 at 11 at offices of Jeffery Newland, Northampton

May, Annie, Liverpool, Beerseller. Oct 5 at 3 at offices of Snowball and Co, Dale st., Liverpool
 McCabe, Robert, Windsor, Liverpool, Grocer. Oct 5 at 11 at offices of Wharton and Co, Lord st, Liverpool
 Morris, Richard, Swansea, Timber Merchant. Sept 30 at 11 at offices of Hartland and Co, Rutland st, Swansea
 Moses, Edward, Moses, Fore st, Wholesale Furrier. Oct 14 at 2 at offices of Montagu, Bucklersbury
 Moule, Adam Cole, Whaddon, Cambridge, Farmer. Oct 5 at 3 at offices of Turner, St Andrew's st, Cambridge
 Munday, Russell, St Mary-in-the-Castle, Sussex, Builder. Oct 4 at 11 at 14, Cheapside. Neve, St Leonard's-on-Sea
 Nichol, Thomas, Hartshorne, Derby, Wood Turner. Oct 1 at 11 at the Lord Rodney Inn, Hartshorne. Smith, Swadlincote
 Norcliffe, John, Swinegate, Leeds, Licensed Victualler. Oct 4 at 3 at offices of Lodge and Rhodes, Park row, Leeds
 Onions, Thomas, Oldbury, Worcester, Grocer. Oct 6 at 11 at offices of Shakespeare, Church st, Oldbury
 Palmer, John Fitt, Lowestoft, Boatowner. Oct 5 at 3 at offices of Johnson, Old Bank House, South Lowestoft
 Palmer, John Thomas, Tuxteith park, Liverpool, Painter. Oct 5 at 3 at offices of Quilliam, Old Post Office pl, Liverpool
 Pinchin, Harry, Southstoke, Somerset, Carpenter. Sept 29 at 11 at offices of Bartrum and Bartlett, Northumberland bldgs, Bath
 Poynton, Henry, Leicester, Manufacturer of Mending Cottons. [Oct 4 at 3 at offices of Wright, Belvoir st, Leicester
 Ralsbeck, Joseph, Liverpool, Coal Merchant. Oct 4 at 2 at offices of Martin, Castle st, Liverpool
 Richards, William, Scholes, Wigan, Builder. Oct 4 at 3 at offices of Byrom and Bell, King st, Wigan
 Rimmer, Charles, Lydiate, Leicester, Hay Dealer. Oct 5 at 3 at offices of Murphy, Dale st, Liverpool
 Rogers, George William, Norwich, Carpenter. Oct 2 at 12 at offices of Emerson, Rampant Horse st, Norwich
 Salabury, Samuel Laverance, Cleethorpe, Lincoln, Smack Owner. Oct 6 at 11 at offices of Grange and Winttingham, St Mary's chmbrs, West St Mary's gate, Great Grimsby
 Shasfield, Lazarus, Cheetham, Manchester, Dealer in Watches. Oct 6 at 3 at offices of Nuttall and Son, John Dalton st, Manchester
 Shaw, John, Manchester, Packing Case Maker. Oct 4 at 2 at offices of Fremwen, Ward's bldgs, Dean's gate, Manchester
 Shutehworth, Arthur Fleetwood, Shelton, Stafford, Accountant. Sept 29 at 3 at Wheatstheaf Hotel, Stoke-upon-Trent. Ashwell, Stoke-upon-Trent
 Simister, Edward, Birmingham, Boot and Shoe Manufacturer. Oct 4 at 3 at offices of Jaques, Temple row, Birmingham
 Smith, Francis George, Moor, Sheffield, Cabinet Maker. Oct 1 at 3 at offices of Binney and Co, Queen st, Sheffield
 Steel, William, Mexbrough, York, Boot and Shoe Dealer. Oct 4 at 11 at offices of Marshall and Owsnworth, Church st, Barnsley
 Stock, Peter, Bootle, near Liverpool, Slater. Oct 4 at 2 at offices of Tyrer and Co, North John st, Liverpool
 Stones, Edwin, Cheadle, Stafford, Boot and Shoe Maker. Oct 2 at 10 at offices of Ashmall, Albion st, Hanley
 Stones, William, and George Stones, Whitgift Common, near Goole, York. Potato Merchants. Oct 1 at 2 at Angel Inn, Doncaster. Hind and Everatt, Goole
 Sonier, Samuel, Bagnall, Stafford, Licensed Victualler. Sept 30 at 12 at offices of Sward, Cheapside, Hanley
 Stott, Henry, Calverley rd, Tunbridge Wells, Painter. Oct 7 at 12 at 92, Calverley rd, Tunbridge Wells. Andrew and Cheale, Tunbridge Wells
 Swallow, James, Red Lion court, Watling st, Commission Agent. Sept 30 at 3 at 11, Ironmonger lane. Catlin, Wormwood st
 Thomas, Samuel, and William Lucas Kayrs, Chorlton-on-Medlock, Lancaster, Builders. Oct 7 at 3 at Mitre Hotel, Cathedral gates, Manchester. Leach, Manchester
 Thurston, William, Newent, Gloucester, Grocer. Sept 29 at 1 at New Inn Hotel, Gloucester. Price, Newent
 Tipton, Thomas Edward, Dawley, Salop, Grocer. Oct 12 at 10.30 at offices of Harries, Dawley
 Vaughan, William, Tunstall, Stafford, out of business. Sept 29 at 2.30 at offices of Salt, Keole st, Tunstall
 Welch, William James, Bristol, Boot Dealer. Oct 1 at 2 at offices of Sibby, Exchange West, Bristol
 Wilson, Robert, and William Henry Wilson, Manchester, Licensed Victualliers. Oct 12 at 3 at offices of Sutton and Elliott, Fountain st, Manchester
 Wiseman, James, Bradford, York, Grocer. Oct 2 at 11 at offices of Beverley, Hustlergate, Bradford
 Wright, George, Holywell lane, Shoreditch, Paper Hanging Warehouseman. Oct 4 at 3 at offices of Whittington and Son, Bishopsgate st Without

SCHWEITZER'S COCOATINA,

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